

NATIONAL POLICE GAZETTE

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THE NATIONAL POLICE GAZETTE.

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THE POST-OFFICE ROBBERY.



THE POSTMASTER ARRESTING HIS SON, AND WEBB'S ESCAPE.

ance. Though all else frowned repulsive to his hopes, he there found congenial hearts and admiring minds. It is hard to reject friendship, come in what guise it will; and doubly hard to put it back for an experiment upon the distrust and prejudices of mankind, which, even when unimpelled by a substantial motive, is but too prone to regard every adventurer with suspicion. The result is plain. The outcast touched the attraction of the maelstrom, and was soon whirled by its increasing forces back into his original gulf of crime.

Among the acquaintances which the elder Webb made in his new social essays, was an Englishman, named Thomas J. Brown, alias Lloyd, an old, daring, but inept burglar, who had previously served out a term of transportation at Botany Bay, for robberies committed on the other side of the water. Forming a professional connection with this man, Webb resolved to transfer himself to Philadelphia, where he was unknown, and test his fortune in a new field of action. There he resolved to await the discharge of his brother James from the Baltimore Prison, and to receive him into partnership again.

In due time, James completed his penitential expiation, and received a fraternal welcome from his affectionate senior, who awaited him hard by the prison gates. Assuming the name of Thompson, the latter then accompanied his two companions back to Philadelphia.

Charles and Lloyd acted most handsomely to their recovered "pal." They had already, previous to his release, planned two or three good "jobs," but with a praiseworthy generosity of disposition, they both agreed to let him have a "whack in," in consideration of his recent misfortunes. James had a heart to appreciate this kindness, and he bent all his energies at once to deserve the favor, by the alacrity with which he entered into their enterprises.

The effects of the new conjunction soon made themselves visible. One of the designs alluded to was the projected robbery of the clothing store of Mr. J. James, a merchant tailor, keeping in Chestnut street, on the corner of Franklin place, which they successfully entered and plundered to the amount of over \$3,000. Another was on the fur store of Raymond & Co., in Chestnut street, near Third, which they also successfully accomplished, bringing off booty to the amount of \$1,000.

The next was a project suggested by James himself. This was the robbery of a large Insurance office in Walnut street, near Second.

This promised to be difficult of accomplishment. The doors of the institution were very securely fastened, and a light which flared full upon its entrance, made any attempted clandestine approach extremely dangerous. Driven by these apparent difficulties to the consideration of other means, James Webb leisurely cast his eyes towards its roof, and suddenly received the idea which was to be adopted for the accomplishment of the original project. He saw by the conjunction of the eaves of the row of buildings in which the Insurance office stood, that if he could gain the roof of one he could easily get access to the others, and that therefore a successful entrance in one of the stores, would place the Insurance office at his mercy. He communicated his plan to Charles and Lloyd, who, after some cogitation and several general councils, decided it was feasible, and selected a large bedding warehouse kept by J. Findlay, in the above row, for the first operation. Charles set himself to work fashioning a key, and having got everything prepared, the trio set out a little after midnight on the morning of the 5th November to perpetrate their crime. Charles kept watch on the outside while the other two went in. So far they were successful. Fortunately, however, a neighbor residing opposite, had observed the whole transaction, and having his suspicions excited by the unusual circumstance, gave alarm to the patrol. Charles, from his position, saw the danger, which grew out of this movement, coming down the street, but being unable to communicate a warning to his confederates in time, was obliged to secure his own escape by running off. The officers entered the building, and searching it from loft to loft, at length came to the roof, and there caught the burglars and took them into custody.

In the morning they were conveyed before Isaac Roach, Esq., the Mayor, and in their examination were confronted with the principal members of the Police of Philadelphia. None recognised them except Willis H. Blayney, the high constable, who identified them as two men whom he had seen in the Baltimore prison a few weeks previous, Lloyd having been temporarily incarcerated there, for endeavoring to obtain communication with James Webb, by throwing something over the wall. He was at that time supposed to have been one of the men who had robbed the Brunswick Bank some two years before, and a suspicion was also entertained from his attempted communication with the convict, that James Webb had been participant in the same offence. But the parties, who were thereupon sent for from Brunswick, failing to iden-

ify them, Lloyd was at once released, and Webb was also released, and the robbery was a success.

A few days after the robbery, a proposition was made to the burglar, for a disclosure in relation to the robbery, which would lead to the recovery of the amounts of goods stolen, on the condition that they should be the same.

This offer was made to the burglar, and he was asked to disclose the names of the persons who had been in the robbery.

The burglar, who was named Webb, disclosed the names of the persons who had been in the robbery, and the names of the persons who had been in the robbery.

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long been familiar, an opportunity of getting a description of his person.

It will be readily imagined that the last achievement of the law upon the two discharged rogues of the above trio, had anything but a tendency to rouse their nefarious enterprise. On the contrary, they had tested its impotency, and discovered a means by which they could set it at defiance. It was only necessary that they should work sharp, commit several crimes in rapid succession, secure a round amount of valuable booty, and then might reap their fingers at the consequences of any subsequent miscarriage that might trip them up.

Guiding themselves by this philosophy, the rogues, after the convalescence of the holidays were over, departed to Baltimore, to experiment with confidence upon their system. During the incarceration of his two partners, Charles Webb had been in that city, and had even got as far south as Richmond, Virginia. This, while it accounts for his inattention to the wishes of the two prisoners for so long a time, also requires to be mentioned for another purpose. During his visit to Richmond he devised a plan for robbing the jewelry store of Mr. Jordan of that city, but being recalled to Philadelphia by the earnest requisitions of his imprisoned brother, he did not have time to put his scheme in operation. On accomplishing the release of his "pals," however, as before described, he imparted his design to them, and, together, the party proceeded to Baltimore, and from thence to Richmond. There they effected their knavish purpose, entered the store, and carried off a quantity of fine watches and jewelry to the value of \$7,000, and immediately returned to Baltimore. There they plunged into business with their usual industry, but after the operations of a few months, James was caught in the very act of issuing from a store, and taken into custody, with the property which he had stolen from it, on his person. Fortunately for him, Charles had again made his escape, and he regarded his misfortune as of any but a serious nature, knowing, by experience, the reliance which he could place upon his outside efforts with the officials and other authorities. He had but little to fear, while a skilful agent was free to operate for his release. Word of this latter arrest having reached officer James Young, of Philadelphia, he set out for Baltimore, and having an interview with the prisoner, and subsequently with Mr. Richardson, the District Attorney, effected an arrangement for the discharge of the rogue, on the restoration of \$400 worth of goods to one plundered party, and of a carpet-bag containing all the valuables previously stolen from Mr. Jordan, of Richmond. These the latter gentleman regained in bulk through the Mayor of the city, whom he also authorized to pay the reward which he had offered for their recovery.

Set at large again, Jim Webb tossed up his hat, hurried to Liberty and free institutions, and rushed into the arms of the guardian brother who had so faithfully and skilfully attended to his interests. Whether Liberty shared in their emotions and congratulations on the latter occasion we cannot say, for from the time of his departure with the brothers to Baltimore, we lose sight of him entirely.

The next trace that we have of the exploits of the adventurous kinsmen was in Philadelphia again, where, in the early part of September, 1839, they committed a burglary on the store of Ripke & Wampous, of North Front Street, plundered it of a large amount of valuable silk and lace goods, and fled to New York with their booty. Arriving here, they rented a basement room in an obscure part of the town, but being pointed out a few days after their arrival to officers Hays and Webb, of this city, they were traced to their residence, and a large quantity of burglary instruments, a rope-ladder for entering or escaping from cities—such as had been used by the younger Webb in the Birmingham post-office robbery—and various articles of value, which did not consist with their humble quarters, were found. In addition to the above articles, a bill of lading was found upon the mantel-piece, for some goods at the depot of the Philadelphia Transportation

Company, which, on being obtained, proved to be the articles stolen from Ripke & Wampous, a few days before.

The news of this arrest and subsequent development brought on James Young from Philadelphia, who, after an interview with the Webbs, returned to that city, and obtained a requisition for them from the Governor of Pennsylvania. James R. Whiting, our District Attorney, however, refused to stoop to its requirements. He had heard of the Webbs' bargaining out escapes previously in Philadelphia, and having but little confidence in the mode in which the law was administered in that city, insisted upon trying them upon the charges which could be produced against them here. His reply to the requisition of the officer who bore the requisition was, that if the only object of the authorities of Philadelphia was the just punishment of the rogues, they should be content with the manner in which they would be dealt with by him, adding, as an additional reason for his refusal, that while we could punish them with five years' imprisonment by our laws, in Pennsylvania they would get off with but three. In addition to this, he made no hesitation in expressing his conviction, that if they slipped through his hands, they would most probably escape punishment altogether. By some means, however, Mr. Whiting was overruled, and upon the promise of the Philadelphia officer that he would be answerable for their conviction, or return to New York in case they were discharged, he allowed the prisoners to be delivered up.

The prisoners were taken on. A true bill of indictment was found against James, who plead "guilty," on a secret understanding with his counsel and another person, that a pardon would be obtained from the Governor, provided enough funds were put up for that purpose. Here is food for reflection, and we leave the circumstance to the intelligence of our readers for solution. Suffice it, James was sentenced to the Eastern Penitentiary for two years, and that he was pardoned out in a few months afterwards. How this was accomplished, and on whose affidavit, it is not our present business to show, but it is plain that the exercise of Executive clemency did not proceed from any cause of justice to the old and hardened offender.

From the time of the return of the Webbs, the fog began to gather around their business, and for a time enveloped the case of Charles Webb altogether. We do not find that he was indicted at all, and in the early part of November we find him parading the streets of Philadelphia, apparently free from any charge, and certainly free from any apprehension.

The news of this circumstance reached the ears of Mr. Whiting, of this city, and perceiving that his suspicions in regard to the Philadelphia people were realized, he obtained a bill of indictment against the Webbs for their crimes in this city, and despatched two officers to re-arrest Charles Webb, and bring him on.

These officers found Charles Webb on Sunday morning, 10th November, but as they were marching down Chestnut street with their captive, they were met by officer Young, who took possession of him and lodged him in prison. On the following morning, Webb was brought up before Judge Conrad, of the Court of Criminal Sessions, on a writ of *habeas corpus*, and discharged on bail, in the amount of \$1,000. The New York officers returned without their prisoner, and Charles Webb again slipped through the meshes of the law, and was enabled to busy himself in negotiating for the pardon of his incarcerated brother, which he soon accomplished, as we have before described. Here we leave them, till our next number, with a request that our readers will ponder over the above movements of sleight of hand, until we can enable them to view the secret machinery of the whole matter. To expand their views in relation to Police matters, however, we think it proper to direct their attention to the article in this paper headed, "The Pardoning Power," as a proper sequel to the above chapter in the Life of the Webbs.

[To be continued.]

Gov. Wright, of this State, has commuted the sentence of Van Rosenberg and O'Connor, the assassins, to imprisonment for life in the Clinton Co. prison.

National Police Gazette.

SATURDAY, NOVEMBER 22, 1845.

"HERE'S THE NATIONAL POLICE GAZETTE, ONLY FIVE CENTS!"—We present "The National Police Gazette" to the public this week at the increased price of FIVE CENTS. We are induced to this change by several substantial reasons, among which is our desire to add new talent to the repertorial department of the paper, and likewise to be enabled, by a fair remuneration from the purchaser, to furnish him with a weekly engraving. These expenses were not warranted at our former extremely low price. The expenses of a paper whose contents must be collected by the personal inquiries and efforts of its editors and repertorial attachés, and which is devoted entirely to the recording of facts, is greatly beyond any other description of publication, and therefore cannot be afforded at the same prices as sheets of an inferior size, which can be "written up" in a single afternoon without the editor moving from an arm-chair for reference. Our duties are of an arduous character, and the public have shown no hesitation in encouraging us. That they will be well content with a change which will tend to their own benefit, we do not for a moment doubt.

TRIAL OF PARKINSON.—We present in today's number a full report of the trial of William Parkinson, impleaded with Davis, alias Dick Collard, Miller alias Cupid, Honeyman alias Smith, for the robbery of the Poughkeepsie barge of \$32,000. The testimony against Parkinson is conclusive of his guilt, and naught but a quibble can prevent his conviction. It is shown by evidence that previous to the robbery he was in want of money, and after its commission he had means in abundance. The money presented by him at several different places, after the robbery, was in large notes of the Poughkeepsie banks, and in one instance he offered a \$50 note to obtain change in payment for twenty-five cents only. In addition to this, a large number of Poughkeepsie bank notes were found concealed on the premises occupied by Parkinson, some of which were covered with sand, thus presenting evidences of their having been previously buried, or "planted," to avoid discovery. From a cursory review of the testimony, there can be no doubt in our minds of the result, and although we desire not to prejudice the public before a legal decision is made, yet we cannot, in justice to a community who has so long been plundered by this quadruple gang, refrain from thus candidly expressing our honest convictions.

THE PARDONING POWER.—In a Government professing to be equal in its distributions of the law to all, it is the peculiar privilege of the citizen to require a reason for every rule or restriction of which he is made the subject. More than any other branch of the law, the Executive prerogative of pardoning offences calls for the exercise of that right; and the many outrageous abuses which have grown, and are continually growing out of it, make it our special duty to learn how and for what purpose the regulation originally obtained.

The pardoning power is one of the imperative and arbitrary prerogatives of the English kings, and was adopted bodily into the system of our governmental economy with the mass of arbitrary statutes that fell upon us as an unfortunate inheritance from our English ancestors. Though the whole labored and perverted theory upon which it was based, has been revolutionized into a substantial and liberal system, we still cling to this old feature, in common with many of its other inconsistent parts. Its nature, qualities and design are thus artfully explained by the old elementary writers on English law. "All offences," says Blackstone, "are either against the king's peace or his crown and dignity. He is, therefore, the proper person to prosecute for all public offences and breaches of the peace, being the person injured in the eye of the law. And hence also arises another branch of the prerogative, that of pardoning offences, for it is proper that he only who is injured should have the power of forgiving." Another learned writer, in explaining on the same subject, remarks: "It is very proper that the sovereign, who alone

is injured by crimes and misdemeanors, should have the power to remit offences committed against his peace, for it would be absurd and unjust in the extreme to deny him the privilege, which the meanest of his subjects has, of forgiving injuries against himself." This is all very well for English lawyers, English people and English kings, but it will hardly comport with Republican and Republicanism.

Here the Powers are sovereign, and acting upon that great first principle, there is no more reason that a President or a Governor should be clothed with this monarchical attribute, than that they should be invested with judicial functions in the first degree. The Legislature only, as the special representative and mouth-piece of the wishes of the People, is the proper place for this authority to lodge. It can be less easily deceived, less easily intimidated, and less easily corrupted, than any other power, and the regulation would not only harmonize a gross perversion of theory, but would have the gratifying effect, moreover, of debarring wealthy felons from purchasing out the law with a portion of the proceeds of their crimes.

The evils arising out of the pardoning power, as it is at present exercised, have become perfectly unbearable. No sooner does an old professional thief receive his sentence, than a movement is set on foot at once, by his outside accomplices, to obtain his pardon. Police officers are employed to intercede and make affidavits in his favor, and the result is, that the ingrained rogue, whose whole past life has been devoted to crime, is sworn out of prison as an innocent and unfortunate man. He then returns to his depredations, and shortly again makes another job for the officers who have so often stood by him before. The public would be astounded if they could but know the amount of business that is secretly done in this way. It is no extravagance to say, that nineteen-twentieths of the pardons that are made from the different prisons of the Northern States are granted in the cases of professional English and other thieves, and their interceders are in all cases Police officers, who have been paid for the disgraceful and dishonest service. The poor wretch who is suffering for his first crime, though his case should present a thousand relieving points, is hardly ever made the subject of Executive clemency. His former course of life has not made him intimate with Police officers, and therefore he does not know how to proceed to obtain a release by their legedmain, and neither is he capable of paying the price of the juggle. He must, therefore, rot out the term of his confinement.

There are instances upon instances of the truth of our remarks. There is scarcely a professional thief in the country who has not at some time in his career received a pardon, and some of them two and three. Governor Porter, of Pennsylvania, above all others, has made himself famous for the exercise of the kingly power of remission of sins, and frequently, during the term of his official sway, has turned loose upon society the same abandoned ruffian for the second and even third time, though it may be that the Governor was deceived by Police officers and hired affidavits men whom he had made his favorites. It is high time that these abuses should be put an end to. It is high time that guilt should suffer the penalty of its offences, and that partial innocence should have the shadow of a chance. It is high time that dishonest officials underlings should be deprived of the means of frustrating the results of courts and juries, by these secret oaths. We mean to do what we can in the business, and for the purpose of furnishing an evidence of the necessity of transferring the prerogative of pardoning to its proper department, we will endeavor to present our readers with the number and character of the pardons that have been made in New York, and the States of Maryland and Pennsylvania, during the past year. The publicity of these transactions will be found the most effectual method of counteracting similar attempts in future.

The valuable papers, drafts, and the bulk of the money of the Suffolk County Bank at Sag Harbor, were preserved at the recent destructive fire in that town, by being deposited in one of Wilder's Salamander safes. Who will be without one?

THE SPACE OCCUPIED BY THE TRIAL OF PARKINSON.—One of the Poughkeepsie Barge Robbers, has compelled us to omit a continuance of the Newgate Calendar in this week's number. A most interesting life and execution will be given next week.

POLY BOOTS.—This case has occupied the attention of the Court of Oyer and Terminer for the past week. Over twenty-five hundred jurors above the regular panel have been summoned and examined, and but nine selected, one of whom is sick, and will probably be discharged. The defence have made fourteen peremptory challenges, and have six left. The Court convened on Friday at 12 o'clock, at which time our paper was put to press.

THE POST NOTES OF THE BANK OF TENNESSEE.—Mitchell, who was arrested in this city last week by the editors of this paper, and taken to Philadelphia, for his participation in exchanging several \$500 post notes of the Bank of Tennessee, that had been fraudulently obtained, still remains in custody in that city, waiting the full investigation of the case. Jackson is held as a witness. George Northman, an engraver, who was also arrested here as an accomplice, has been discharged. Thus stands the matter at present.

CASE OF MR. ROWLEY.—Mr. Rowley, whose alleged robbery on board the Providence steamboat Massachusetts our readers will recollect, still remains in the Worcester lunatic asylum. He is gradually arriving at his reason, however, and we hope, by the time of the issue of our next number, we shall be able to present the public with some of the results of his sanity.

JOHN B. GOUGH.—The Mount Vernon Congregational Church, of Boston, have published a report, in which they conclude "that the published statement of Brother Gough is a frank and artless declaration of the truth." They also allege that they visited this city, and made every investigation in their power. It is well known to the members of that church, and to the whole community, that Mr. Gough was found and restored to his friends through the research and energies of the editors of this paper alone, and yet none of the members of the Mount Vernon Congregational Church extended their inquiries or investigations to our premises, where only they could be fully and properly answered. As soon as Mr. Gough has become sufficiently recovered to stand the exposition, we shall certainly make it public. Naught but his alleged or real illness has ever kept the public from the disclosures.

MADAME COSTELLO.—Notwithstanding her impending trial, this wretch still continues to pursue her infamous and murderous mystery. We think that the circumstances of her position and crimes warrant more decided measures than have yet been pursued towards her. We recommend that for the present a watch be set by the Chief of Police, who shall observe every female that issues from her doors. These should be followed, their names and residences obtained, and their families and connections informed of the fact at once. The knowledge of such measures as these being adopted with Restell, Costello, and all abortionists, would soon break up their murderous trade.

TO OUR FRIENDS AT THE SOUTH.—We have just been informed that it is the intention of a number of English pick-pockets to follow the track of Mr. Charles Kean and lady, on their tour South to fulfill engagements at Charleston, Mobile, and New Orleans. Several have left already, and were in Philadelphia last week. Among them is the celebrated "Big Frenchman," alias "Uncle Tommy." This veteran scoundrel is about 5 feet 11 inches high, very stout made, full breasted, sandy complexion, and invariably wears a frock coat. It would be well for the officers at the several depots to be on the look out, as these rascals will surely be in the same train with the Kears.

NUMBERING THE STREETS.—The plan of Mr. Ackerman, sign painter, of Nassau street, to affix the names of streets to the gas lamps, has been adopted by the Corporation. This is an evidence of their good sense, that we should be happy to see often evidenced in other matters.

PARDON OF DINGLER.—This man, who was sentenced to the State prison for 14 years for a brutal outrage upon a girl at the Broadway Cottage, has been pardoned by Gov. Wright, and the act is an outrage upon the community. If men who have been convicted of the worst species of crime are to be selected as objects of special mercy, it is time that the Governor was deprived of his prerogative.

We make the above extract from a city paper as an evidence of the distinction commonly made between old offenders and new, as alluded to in the leading article of to-day's paper. During the past year several ingrained, hardened and professional criminals have been released by Executive pardon, and not a word has been heard from the press upon the subject, yet as soon as a man who has never been charged with crime before has been released, we hear a burst of condemnation from all sides. This is about as charitable as it is discriminating. The writer of the above paragraph would have entitled himself to a deal more credit for his virtuous displeasure if he had bestowed a similar indignation on the case of George Potter and numerous others, which have been effected during the past year through the agency of hired interceders, who have carefully smothered their dishonest operations from the eyes of the public. In the case of Dingler, the Governor's recent action was induced by incontrovertible facts, refuting the testimony of the abandoned woman above alluded to, and conclusively showed the unfortunate prisoner's innocence.

We can vouch for the Governor's careful investigation of the above matter. The writer of this paragraph reported the original trial, and has been acquainted with every subsequent step in the proceedings which led to the prisoner's discharge.

It is commendable to take every measure to prevent the guilty from escaping their deserts, but it is necessary at the same time to well understand our premises, that we may avoid hurling another injury upon the head of the unfortunate.

AN HONORABLE OFFICER.—Some time during the winter of 1844, a gentleman in New Orleans was robbed of his pocket book containing three \$100 bills and some very valuable papers. A reward of \$50 was offered for the recovery of the papers alone. A few days had elapsed, when Captain Winter, Recorder Baldwin's chief officer in that city, received an anonymous letter containing a sum of money for himself, and all the valuable papers lost in the above named robbery. The letter stated that he would receive \$50 by returning back the papers to the owner. Captain Winter immediately handed the letter and contents to the Recorder, and at the same time declined accepting any thing from such a source. We direct the attention of officers of New York, Philadelphia and Baltimore to this example. We consider this to be duty, though we can scarcely hope that it will have any effect. Can the leopard change his spots?

NEW LAW WORK.—We have received a copy of a new law volume, entitled "An Abstract of the Laws of the State, and Ordinances of the Corporation of the City of New York, in relation to vessels, wharves, slips, piers, basins, wrecks and salvage, by Wm. Jay Haskett, Esq. a Member of the Bar of this city." The above work has long been much needed, and we recommend it to the attention of the merchants and shipmasters of this city, and also to members of the legal profession. The latter will find in it all the law on the above subjects carefully selected and compiled in a clear and methodical manner, ready to their hands.

THE MAIL-BAG FROM ALBANY.—Missed last week from the steamboat Knickerbocker, and containing some \$72,000 in money and drafts for this city, was found, it appears, by a German or Swiss rag-picker, in Willet street, 11th Ward, and taken to his home. He had cut it open, but had taken nothing out. It was recovered last night, with all the contents, and taken to the Post Office.

JOHN H. PETERS, a lawyer of Alabama, has been arrested in Charleston for forgery, and a bill of indictment found against him. It is alleged that he forged a joint and several note purporting to be signed by Messrs. Bryant and Pierson, his captors, for the sum of \$1,950. The offence, it is said, is punishable in Alabama by imprisonment, in jail, or penitentiary, not less than five nor more than twenty years.

CONFESSION AND EXECUTION OF THE DAVENPORT MURDERERS.

(From the Chicago Citizen and Daily News.)

MR. EDITOR.—I hasten to lay before your readers an account of a horrible tragedy just enacted here. John Long, Aaron Long, and Granville Young, have this afternoon been hung according to law, for the murder of Col. Geo. Davenport. Although the morning was a rainy one, an immense concourse of people were seen assembling from every part of the country; and at the time of the execution, I made an estimate, and should judge there were five thousand present,—a promiscuous assemblage of men, women, and children.

At 11 o'clock the guard formed in a hollow square, before the jail, and marched to the gallows, where they were dismissed until after dinner.—Music by the Green Mountain Boys, composed by them for the occasion. At 1 o'clock the guards again formed in front of the jail, when the prisoners were brought out, and conducted in solemn procession, with music, to the gallows. The guard formed in a hollow square about the gallows, while the prisoners ascended the scaffold and took their seats with the Sheriff. The Sheriff read the order for the execution; after which he remarked that if the prisoners wished to say anything, opportunity was given.

John Long confessed that he was guilty of killing Col. Davenport, but said he wished those present to receive, as the declaration of a dying man, his assertion that his brother Aaron and Granville Young were innocent of that crime. Robert Birch, William Fox, Theodore Brown and himself, he said, killed Davenport, but did it unintentionally. He then called upon one Bonney to step forward, but being told Bonney was not in the crowd, he said it "knocked out 650 pages of his speech." This Bonney he declared was the chief among thieves and robbers. Aaron Long and Granville Young then severally protested that they were innocent. When they had done, John Long again made a speech, detailing some events in his life, and called upon all to take warning by his fate. Up to 1840 he had never wronged a man, but in that year he was persuaded to engage in counterfeiting, and from that he was led to the commission of murder and robbery. A full confession of his acts and associates, he said, would implicate two hundred men in Illinois, Indiana, Missouri and the territory, but he withheld the confession from some regard for their families.

After he had closed, he returned to his seat, and after consulting the other prisoners, returned and stated that it was their dying request that their bodies be given to their friends, and not to the physicians. Mr. Gatchell now stepped forward and offered up a short and appropriate prayer; after which Mr. Haney read a psalm. The prisoners now severally shook hands with those on the scaffold, and with each other. Aaron Long and Young nearly overcame with emotion—John quite calm and collected. The Sheriff bound their arms, put the rope round their necks, and drew the cap over their faces, and led them forward upon the drop. Taking the axe, he severed the rope at one blow, and down went the drop, letting them fall a distance of four feet. But now remained a scene most revolting to behold, and most horrible to describe. The middle rope broke, letting Aaron Long fall, striking his back upon the beam below, and lying insensible from the strangling caused by the rope before it broke. For a moment not a human being moved; all were horrified and seemed riveted to their places. Soon, however, the officers descended and raised him up, when he recovered his senses, and was again led upon the gallows, suffering intensely, raising his hands and crying out, "The Lord have mercy on me! The Lord have mercy on me! You are hanging an innocent man. And (pointing to his brother) there hangs my poor brother;" but alas! he heeded him not.—He was already beyond his sympathy—he was left alone, to endure the dreadful sight of his brother's last agonies, and once more to pass through the dreadful scene—the rope—the platform—the axe! I shall never forget the appearance of that man, as he sat upon the bench, a large bloody streak about his neck, his body trembling all over, while preparations were making for his final fall. But there was another act in this drama. As he was ascending the gallows, signs of an outbreak among the crowd were evident. Some cried, "That's enough—let him go;" while others gave expression to their horror. Just at this moment some cry was raised in a remote part of the crowd; no one knew what it was; some were frightened—one wing of the guard retreated towards the gallows—the tumult increased—a sudden panic seized the immense crowd, and they all fled precipitately from the place. If the earth under the gallows had opened, and Pluto himself had arisen from the infernal regions with his horse and chariot, it could not have caused greater consternation, or a more hasty flight. The guard were with difficulty kept in their places: the crowd returned and soon all was quiet, every one ashamed of himself for having been frightened at nothing. One wagon was found upset, but it was supposed to be the effect, and not the cause of the panic. The wretched victim of the law was at length despatched, and the crowd dispersed. Thus ended the first execution I ever witnessed, and God grant that it may be the last.

BONNEY, the man who arrested the Davenport murderers, has been indicted in Henry

county, Iowa, for counterfeiting. A demand has been made on Governor Ford for his arrest, but he refuses to give him up, on the ground that he has earned a pardon. See the account of Long, in another column.

GENERAL CRIMINAL RECORD.

Wm. H. H. H. was arrested at New York, charged with the murder of a woman named Dunning, who was found dead in the water, near the foot of Broadway, and the body was recovered by the police.

James H. H. was arrested at New York, charged with the murder of a woman named Dunning, who was found dead in the water, near the foot of Broadway, and the body was recovered by the police.

A young girl, aged 14, named Sarah, was arrested at New York, charged with the murder of a woman named Dunning, who was found dead in the water, near the foot of Broadway, and the body was recovered by the police.

Patterson, the Boston, Geo. Patterson, was arrested at New York, charged with the murder of a woman named Dunning, who was found dead in the water, near the foot of Broadway, and the body was recovered by the police.

Samuel Worcester, of Lancaster, Mass., was arrested at New York, charged with the murder of a woman named Dunning, who was found dead in the water, near the foot of Broadway, and the body was recovered by the police.

On Thursday of last week, Duran Bonney was arrested before Uriel Dean, Esq., of Charleston, N. H., charged with the commission of a rape upon the person of Sarah Clark, and bound over to the Court of Common Pleas for this county. The parties both belong to Claremont, and the act was committed at Newbury, on the evening of Monday day, in September. The examination was an unpleasant affair, peculiarly trying to the parents and connections of the girl. The parties are both young, and of respectable families.

Gov. Steele, of New Hampshire, has reprieved Howard, sentenced to be hanged for the murder of Phoebe Hanson, to the 8th of July next. The reason given is that Howard is so devoid of intellect that he is not a fit subject for execution—he did not even thank the Governor for his mercy, but was unmoved as a block of marble. He may have been deranged.

M. Augustus L. Kinsey, of Westville, was attacked in the streets of New Haven last week by two ruffians. They attempted to gag him with a handkerchief, and in the struggle one of them got his finger between Mr. Kinsey's teeth, who bit him so severely that the scoundrel fled, accompanied by his partner.

Forgery continues to be a capital offence in South Carolina. At Charleston, on Saturday last, Judge Evans pronounced sentence of death upon Robert Layton, alias S. T. Warren, for a forgery committed by him. Execution is to take place on the 19th prox.

NEW LITERATURE.—We direct the attention of our readers to the advertisements of the enterprising publishers, Messrs. Burgess, Stringer & Co., No. 222 Broadway. The first consists of a list of books published during the past week; the second, of the most recent publications of interest; and the third, of some works of high merit which they have now in press, and which will be shortly laid before the public. We take a pleasure in recommending their publications to the favorable notice of the reading portion of the community. They are judicious and discriminating in their selections, and furnish their volumes in a manner unsurpassed for elegance of style by any publishers in the United States. Among their most interesting announcements, we notice "The Chainbearer," by James Fennimore Cooper, to be published this morning, and "Nick Bigelow, the Counterfeiter," by a distinguished Member of the New York Bar, now in press.

HOVER'S INK.—This superior premium writing fluid is gradually superseding most of the other kinds of ink at present in use. We have tested its qualities, and speak knowingly of its excellence. It is to be obtained, as will be seen by a reference to our advertising columns, of Messrs. G. F. Nesbitt & Co., on the cor. of Wall and Water streets.

FRAGRANT TEA.—The Pekin Tea Company still bear the palm for the most delicious tea in the market. A sample of their "Souchong" and "Golden Chop" have explained to us conclusively the secret of the average of the Chinese in commerce, and we cease to wonder at their unwillingness to extend such luxuries to unenlightened barbarians.

WATCHES AND JEWELRY.—For excellent gold and silver watches, splendid jewelry, and the best work, we direct the attention of the friends of elegant finery to the advertisement of F. B. Lockwood, of 126 Fulton street, to be found in another column.

"COSMOPOLITAN HALL."—This fashionable establishment has just been opened at No. 46 Leonard street, by Thomas Keever and Edward Carpenter. The well known sociability and attention of the hosts is a sufficient guarantee for the superior manner in which their establishment will be kept, and the wants of their visitors attended to. We understand that singing parties are to be given regularly, at which some of the best amateur musical talent in the city will be found.

THE STAR HOUSE.—This well known establishment at 34 Read street, has been refitted and adorned anew in most superb style by its new proprietor, Messrs. Charles Gallagher and Thomas H. H. It was re-opened by them during the past week with a most superior stock of wines and liquors, and runs no risk of denial in the assurance that it will in the city a place of similar resort, more deserving of public patronage, nor better calculated to give satisfaction to its customers.

TRIAL OF THE BARGE ROBBERS.

On Monday last the long expected trial of James Honeyman alias Smith, James Miller alias Cupid, James Davis alias Dick Collard, and William Parkinson, for grand larceny, in stealing \$34,097, on the afternoon of the 7th of April last, from the Poughkeepsie barge De Witt Clinton, lying at the foot of Murray street, North River, was called on by the District Attorney. The first of these parties will be recalled by our readers as the celebrated robber of the City Bank, which institution he plundered some years ago in connection with a man named Murray, and the William Parkinson implicated with him also in the above offence. Cupid, though less known to us, is not less famous in other regions, having served a term at Botany Bay, and Davis and Collard also having paid the penalty of robbing a bank some few years ago, by an incarceration in the Massachusetts State Prison. The trial of these parties, consequently, has been looked for with no little interest, and the following imposing array of counsel affords pretty substantial evidence that the premises will be kept.

For the prosecution—Messrs. Ogden Hoffman, James A. Whiting, William M. Price, M. C. Patterson, the District Attorney, and Mr. Jonas B. Phillips, his assistant.

For the defence—Messrs. George Griffin, A. Benedict, and James M. Smith.

As soon as the District Attorney called on the case, Mr. Benedict rose and objected to the accused being tried jointly. The Court acceded to his motion, and granted separate trials; whereupon, the case of William Parkinson was first selected.

TRIAL OF WILLIAM PARKINSON.

Implicated with James Honeyman alias Smith, James Miller alias Cupid, and James Davis, for a Grand Larceny, in stealing \$34,097, on the 7th April last.

After the prisoner, who is a grey-haired man of about fifty or fifty-five years of age, had been arraigned at the bar of the Court, the clerk commenced calling the jury, but in consequence of the numerous challenges of the defence, considerable time elapsed before it was formed.

The jury being sworn, Mr. Price rose and opened the case, during the course of which he gave a description of the stolen money, and of the modes operated by which it was taken out of the iron safe of the vessel by the above parties, stating that part of it belonged to the Bank of Poughkeepsie, part to the Manufacturers' Bank of Poughkeepsie, and the remainder to certain banks of this city. That four months had elapsed between the time of the commission of the crime and the arrest of the parties; and that, though previous to the depredation, the parties were poor, they were immediately afterward known to be in possession of very large sums of money. That Parkinson, soon after the robbery, hired a house in 51st st., near the East River, caused some alterations and improvements to be made in it, and then placed it at the disposal of Honeyman, alias Smith, to be used as the common residence of the last named person and his daughter, and Miller, alias Cupid, and Davis, alias Dick Collard, the two other accomplices of the crime. That Parkinson, who was a brother-in-law of Honeyman's, had his own residence at Woodbridge, New Jersey, and that being a carver, glider and frame maker, he kept a shop for the ostensible purpose of that business in the third story of a building in the rear of No. 118 William street. Mr. Price then detailed the long previous connection of the parties and the manner of the robbery, stating Parkinson's frequent journeys up the river in the barge Clinton, until he learned all the particulars relative to the transmission of the money that she regularly bore back and forth—the robbery itself, and the subsequent conduct of the other parties, upon their sudden transition from straightened circumstances to comparative affluence. He further stated, that after the robbery, Parkinson still kept up his house in Woodbridge, and that in passing between that place and this city, he would always, in paying his fare, offer a \$10, a \$20, and at times a \$50 bill, alleged to be of the stolen money, receiving in change uncurrent notes. That this circumstance led to his arrest, and subsequently to the arrest of his before-named accomplices. That after their arrest, some \$400 of bills bearing the description of the stolen money, were found in Parkinson's house in Woodbridge, \$1900 between the boards in the wall of his shop in William street, and \$1800 to \$2000 in the house in 51st street.

After the opening, Mr. Black, the paying teller of the Merchants' Exchange Bank, was called to the stand.

James Black, sworn.—I am first teller in the Merchants' Exchange Bank in this city; I delivered a package at the Bank to Captain Willits on the 7th April last. The Bank is at the corner of Greenwich and Bay streets. As near as I can remember, at a few minutes past two. The package contained \$2017 of notes of the Bank of Poughkeepsie, \$10,000 in notes of the Merchants' Exchange Bank of this city. The Bank of Poughkeepsie notes were from the denominations of 1 to 100; the Merchants' Exchange Bank notes consisted of 50's and 20's, some of them had never been issued, some of them had been used. The 50's to the amount of \$3500, were numbered consecutively. The money was put up in the usual way, in sealed packages. The Poughkeepsie notes were current and redeemable at the counter of the Merchants' Exchange Bank.

Cross-examined by Mr. Smith.—I put up the money myself; it was my business to count this money. I made no memorandum of the kind of bills I put up so far as the Poughkeepsie notes were concerned. I cannot tell the number of the 10's, 20's, nor 50's of the Poughkeepsie Bank; there was nothing about the bills by which I could identify them; I could identify to the amount of \$2500 of the Merchants' Exchange Bank, by the numbers of the bills and the names of the persons to whom they were payable. I do not at this moment recollect the numbers of any of the bills; they were payable to F. Burritt; they were the only bills of that denomination which had been made payable to F. Burritt; they were 50's. The numbers are recorded by the Bank. All the bills issued by our Bank are recorded there; I cannot say whether the Poughkeepsie notes were numbered; I suppose they were. I never saw any bills of any bank issued that were not numbered and lettered. I have been engaged in the business of banking between 9 and 10 years.

Direct resumed.—I cannot say how many of any particular denomination of the Poughkeepsie Banks there were; there were a number of 50's and a great many 20's. I cannot tell with any certainty how many; there were a number of 100's, and a number of 10's, 5's, 2's and 1's, but I cannot tell the exact number.

Examined by Smith.—The notes had been received by us during the past week, and put up at different times; they were put up promiscuously; I put them up myself. The Friday week previous to the 7th of April I commenced putting up the notes; I counted the money as it came in, from 1's to the largest amount issued; mark them or label them, and

charge them to that Bank every Tuesday and Friday afternoon. I marked the labels each day by itself. This amount had been charged on the previous Friday. We had been collecting it one week. I did not include the Saturday, Monday and Tuesday. It was not my business to count the notes, and I did not do so. I cannot swear positively that there were more than 50 dollar bills in that package. I cannot swear positively that there was one \$100 bill. I cannot swear positively that there was one \$20 bill. I can swear positively that I believe there were bills of all denominations, from 1 to 100. I can swear positively there was one \$10 bill. I have been engaged for 2 years past in this duty of putting up these bills. The Poughkeepsie bills are received by all the banks in this city on deposit. It has no other agency in this city for redeeming their bills.

TUESDAY, NOV. 15.—SECOND DAY.

James G. Ogden, Jr., sworn, examined by Mr. Patterson.—I am first teller of the Phoenix Bank in this city. I know Captain Willits of the low-boat Clinton. On Monday, the 7th of April, I delivered to him six packages, containing \$14,700 in bills of the Farmers' and Manufacturers' Bank of Poughkeepsie; 100's, 50's, 20's, 10's, 5's, 2's and 1's. I have no positive way of telling the precise number, but there were a number of each denomination. I delivered these six packages to Capt. W. at our Bank, in Wall street, before 3 o'clock; he generally called between 12 and 1 o'clock. The packages were all sealed; there was one package of \$9,000 dollars, which I understood was saved; the bills were generally put promiscuously in the packages without reference to their particular denomination.

Cross-examined by Mr. Smith.—I have been engaged in the Bank since 1854. The porter sealed the packages; I put up some of it, and my assistant put up some. I cannot say how much I put up of it. I counted all the money. I never examined that money in reference to the denomination of the bills. We were 6 days collecting that amount of money. We put it up each day as it was received, and put a label around it, and marked the amount upon it. I cannot swear positively that there were any one hundred dollar bills in it; but to the best of my knowledge there were. If I recollect that there was one hundred dollar bill in it, I would not swear to it, because I won't swear positively to anything. I swear to the best of my knowledge there were 50 dollar bills. To the best of my knowledge and belief there were 100's, 50 and 20's, and bills of each denomination.

Q. Will you swear that you have any recollection of the denomination of any bills in those packages?

A. I have no distinct knowledge of any bills there. I have so many bills pass through my hands every day that I cannot tell. I should say, as far as I could judge, about \$150,000 pass through my hands daily; I cannot tell how many bills. I could tell a bill that came out of a package if I saw it. I could not identify any of the bills in any one of the six packages which I delivered to Capt. Willits.

Direct resumed.—I counted the whole of the bills, and then gave them to Mr. Jenkins, my assistant, who counted them over in my presence and labelled them. Our porter, Mr. Hobart, put the paper round them and sealed the packages. He sets at the table in the rear of me, about 15 feet. He returned them to me and put them in the trunk, where I keep the cash of the day. It is put in our vault at night and brought to me the next morning. The money of that Bank is sealed each day in the week, and those six packages were the notes received during the six preceding days, not including the 7th of April.

Jerome Willits, sworn.—I am Captain of the barge Clinton. She is a tow-boat employed in the freighting business, carrying produce from Poughkeepsie to this city, and back again. She lies at the foot of Murray street, which is her regular place of coming in. She is generally laid up in the winter season at the foot of Murray street. She laid there last winter from about the 21st of December until about the 12th of March. She was repaired at that place. There is a Captain's office on board, and the furniture of which is a desk, iron chest, and one or two chairs.

That iron chest remained on board while the vessel was repairing. I slept on board until the 29th of January; after that persons slept on board only occasionally. I slept in the office. I observed about the door of the office the last Saturday morning in February, that there was putty about the key when I took it from the lock; I rubbed it off and returned it to the lock, and putty again adhered to it. I thought nothing more of it until after the robbery, when it recurred to my mind, and I had the lock examined, and found a piece of red putty or sealing wax. I have been in the habit of carrying packages to and from the Banks in this city and Poughkeepsie for the last four years. I have been the agent of the Poughkeepsie Bank, and the Farmers' and Manufacturers' Bank. Until the last year and a half, I received the exchanges of the Poughkeepsie Bank from the Fulton Bank. At the time of the robbery I received six packages of money from the Phoenix Bank for the Farmers' and Manufacturers' Bank of Poughkeepsie. I received those six packages on the 7th of April last, at the counter of the Phoenix Bank, from Mr. Ogden, between half past 11 and 3 o'clock. They were enveloped and sealed, and addressed to E. P. Benjamin, Esq., Cashier, Poughkeepsie. These six packages I tied in my pocket handkerchief, and went from the Bank to the store of Enoch Mettler, and then to the Harlem Railroad office, from there to the Merchants' Exchange Bank, to receive some packages for the Bank of Poughkeepsie. I received two packages from the first teller, Mr. Black, sealed, and addressed to R. North, Esq., Cashier of the Poughkeepsie Bank. I received them quarter before or quarter after 3 o'clock. I took them in my hand and went immediately to my barge; when I got there I went to my drawer and took the key of my iron chest, and deposited the eight packages in it, and locked it up, placed the key then in my money drawer. My clerk, Mr. Carey, kept the key of the drawer. I remained on board of the barge, most of the time in my office, about an hour, and then went to Messrs. Holman & Skillman, corner of Chambers and West streets, to collect a bill; remained about 15 minutes, and returned to my office on board the barge. Remained there a short time, and went to Williamson & Barton's to make my exchanges, and was not absent to exceed half an hour. I got their check probably for \$200. I then returned to the barge. We were half an hour or more getting her out of the slip. We left the wharf half past 6 or a quarter before 6. We were delayed in getting a horse on board beyond our usual time, which is at 6 o'clock. We got to Poughkeepsie about 3 o'clock on the morning of the 8th of April.

Mr. Smith now objects, on the ground that there is no description of property in the indictment, to any evidence of the property being stolen. (Overruled.) Q. Did you deliver any of those packages according to the address?

A. I delivered two of the packages—one directed to Mr. North, Cashier of the P. B. Bank, and one to Mr. E. P. Benjamin, Cashier of the Farmers' Bank. Q. What became of the other packages? Objected to by Smith. Objected to indictment, on the ground that it is necessary that it should spread on the record a perfect note. The Court admitted the testimony, and overruled the objection, to which the defence excepted.

Testimony resumed.—A. The other six packages were stolen. I discovered that they had been stolen on the morning of the 9th April, before 7 o'clock. I had no occasion to go to my chest after I left the wharf until the next morning, when the money was called for. I settled with my passengers, then got our tea, and made out our bills of sale in the office. They were made out by myself and clerk. It took us till 11 o'clock; it was a very dark and stormy night. After 11 o'clock I was absent from my office until we got

to Poughkeepsie. Occasionally during the night, as was my custom, I went to my office. After the boat was safe alongside of the wharf, I went to bed in the office; that was not many minutes after 3 o'clock. I rose about daylight, and left the office to attend to my duties on deck. I went to breakfast before 7. While at breakfast Mr. Cary came and asked me if I had delivered any of the money; I told him so. He stated there were but two packages in the chest. This of course alarmed me. Cary had obtained the key of the drawer which contained the chest key. I gave him the key, and he returned in 2 or 3 minutes, and told me that there were but 2 packages in the chest. I then went to the office with him and the clerk of the Poughkeepsie Bank, and found that there were only two packages left. There were no marks on the door of the office or safe, which showed that any violence had been made. There was a mark of \$1900 on the package belonging to the Farmers' and Manufacturers' Bank, which remained. According to my cash account there were \$500 in bank bills taken at the same time, which belonged to Cary & Co. The 7th day of April was on Monday. That \$500 was received on Saturday, and put in the chest. I had a package in my chest something like \$1200 before I went to get the exchanges. I took some out, leaving in the package \$536, and I know that it was in the chest when I deposited the package there. I put the money received from my passengers in the money drawer. Not a dollar of that money was taken. With that was other money amounting to over \$2000, none of which was disturbed. The key of the chest was in that drawer.

Cross-examined by Mr. Smith.—I think there were between 30 and 40 passengers that night; I have a list of passengers in my message book. I lodged in the office where the safe was; I got up about day-break; I left no one in the office when I got up. I had three hands on board of the boat. She had one boat in tow that night beside our own, the Emerald; it was the barque Berkshire. Both the Berkshire and Emerald had passengers. When I got up that morning, I went to attend to the delivering of my cargo; we hardly ever deliver all our cargo in the city. There were many people about our boat in New York on the 7th day of April. We were delivering cargo at all hours during the day. The first time I left the office, I either left Mr. Cary there, or left the keys with him. It was a pretty busy day with us, and there were many people there to settle with us.

Direct, by Mr. Whiting.—My office is on the larboard side of the boat, forward of the cabin; the door opens at the larboard side; we laid with the stern in the slip; it is the right-hand door, and opens into the office, which is about 8 feet square; there are two windows in front of the office, and one on the side; the chest was in the right-hand corner of the office. We laid on the south side of the slip, the stern in the slip; the office cannot be seen at all from the dock. After I put the money into the chest on the afternoon of the 7th, I did not leave the office unless leaving Mr. Cary there, or leaving it locked. When making preparations for sailing, no one was in the office; I was the last to leave it, and I locked the door, and put the key in my pocket. After leaving the wharf, I went into the office again; no one slept in the office but myself; I locked the office when I went to bed, and found it locked in the morning. Mr. Cary and all the hands were engaged in helping to "warp" the vessel out of the dock. On the 7th of April there were obstructions on the boat which would have prevented a person from the wharf seeing any one go into the office; the ladies' cabin also entirely intercepts the view of the office.

Cross-examined by Mr. Griffin.—The office door was on the south side of the boat. A person on West st. might see another a few feet from the door. The wood was piled in front and all round the ladies' cabin not directly in front of the office. My impression is, that every nook and crook of the boat was filled up that day.

By a Juror.—The windows were large enough for a person to get through; the front windows were secure so that a person could not get in; there are blinds outside to all the windows.

Q. Have you seen either of the three persons now at the bar, Honeyman, Davis and Miller. (Objected to, and objection sustained.)

Expert Carey, Jr., sworn.—I am in the employ of a freighting Co. of Poughkeepsie. I am the clerk of Cary & Co.; they own the barge Clinton. I was clerk to the captain of that barge in April last; I have been the clerk of Cary & Co. since February or March, 1843, but often before that, for 6 or 7 years, acted as a clerk on board that boat. I think the Clinton commenced running from the city about the 8th of March last. I was on board of the boat on the 7th of April last. I saw Capt. Willits come on board of the boat on the afternoon of that day with a package in his hands; he went towards the office; about three quarters of an hour or an hour afterwards, Capt. Willits went on shore; I was then left in charge of the office. I had the key of the money drawer and the office in my possession; I do not know that the key of the safe was in the money drawer when the captain went ashore; I did not look; I locked the door of the office when I went out of it, as my duty called me on the deck. I settled with persons when the captain was absent. The captain went ashore after that again, and was absent about a quarter of an hour; he gave me the key of the door, but I have no distinct recollection whether he gave me the key of the drawer; I think he did; the windows of the office were fastened; I have no recollection of seeing the safe opened that day. The door was very much crowded that day; we had a great deal of freight before the office, it was filled up nearly to the hatchway with goods of all kinds; we had a great deal of logwood piled up, nearly even with the upper deck; I was engaged forward while we were working out of the slip; the captain was with me; the office was closed and locked, and no one was in it; there are canvas curtains from the promenade deck, and when the weather is stormy we put them down to protect the freight; I slept in the state-room on the upper deck; the captain slept in the office; I rose next morning a little after day-light, about half past 6; I had occasion to go to the office; Mr. Hall, the teller of the Poughkeepsie Bank, came and asked for the packages; I went to the captain to get the keys of the office, to get him the packages; I unlocked the money drawer, and took from thence the key of the safe; I opened the safe, and I believe I remarked to Mr. Hall that Mr. McCaffrey, the clerk of the other banks, must have been and got the other packages. I went to Captain Willits, and asked him if he had given the other packages,—he said no, and immediately came up to the office with me. There were some loose bills in the chest. I was probably half an hour at that; there was about \$2000 in the drawer which had been received for passage money and freight.

Charles Bird, sworn. I am a policeman; I was employed to investigate the matter of the robbery of the barge. I know Parkinson. In the month of July, from information obtained, I went to trail Parkinson, to see what money he was spending; I was on his trail several days, and it was something of an object to us to find which way he came in from his place; I watched the rail-cars and boats for several days, until I found out that he had been in New York two days, unknown to me. I arrested him in Barclay street on the 8th of August. I followed him from the steamboat Raritan. I put him in a cab and took him to the Upper Police office, and there searched his person.

The counsel for the prisoner here objects to any evidence of the money found upon him, upon the ground that the notes are not sufficiently described in the indictment.

Mr. Griffin argues in support of this objection, and cites East's Crown Law, 656 and 657. 20 Russell, 173. 2 Starkes, 840—841.

Mr. Whiting, for the People, argues that the question of identity was not a question of law, but a question of

fact for the jury to determine. Cites East's Crown Law, 650—651. Barbour C. T., 173.

Mr. Patterson follows, and argues Best—Pres. Ex. 208. Griffin closes.

The Recorder then declared the following decision: Recorder. The Court regret that they have not had more time to give a question which has been so elaborately argued, the consideration to which it is entitled. But as they are requested to give an immediate decision, they therefore proceed to do so. It is argued by counsel for the defence that there is no evidence of the identity of the property lost, and that evidence of similar property having been found in possession of the prisoner, should not be admitted. The Court would not be justified in withholding this testimony from the jury. The question of identity is purely a question of fact for the jury to determine, and we are clearly of opinion the evidence is admissible.

To which decision the counsel for the prisoner excepted.

Charles Bird recalled.—After taking Parkinson to the Upper Police, I searched him, and found a pocket book with money in it, two \$50 bills, and one \$10 bill. I marked them. The bills now produced are the three I found on his person, one \$50 bill of the Bank of Poughkeepsie, one \$50 bill of the Farmers' and Manufacturers' Bank, Poughkeepsie, and one \$10 bill of the Bank of Poughkeepsie. This is the pocket book I found upon him. I counted the other bills in the presence of Justice Taylor, and gave all the property I found on Parkinson to the justice. There was other money, consisting of bills, gold and silver, which I found upon him. I next searched the house in 51st street. After that I went to Parkinson's house at Woodbridge, N. J. Found a lady who answered to the name of Mrs. Parkinson—an old lady she called her aunt—a young man named Wilson, and a colored man. On searching the premises, I there found two \$50 bills, one a \$50 of the Bank of Poughkeepsie, and one of the Farmers' and Manufacturers' Bank of Poughkeepsie; one \$10 bill of the Fulton Bank; one \$5 bill of the Merchants' Exchange Bank of New York, and one \$10 bill of the Bank of New Brunswick. I found ten \$10 bills of the Railway Bank, which I took to that Bank and got this \$100 bill of the Farmers' and Manufacturers' Bank of Poughkeepsie in exchange for the ten bills of the Railway Bank, which I found in Parkinson's house. I found the money in a bureau at the house in Woodbridge. It was in a purse or pocket in the bureau in Parkinson's bedroom. I traced that other Poughkeepsie money had been exchanged, but did not find it. I came back to New York on the 10th of August. On Monday the 11th, I went to Parkinson's shop, in the rear of No. 118 William street. He occupied the whole shop for the manufacture of looking-glass frames. In the third story there were two beds, and on the second story I found a table and chest, with crockery. I searched the closet in company with other officers. Mr. Leonard and Mr. Strickland aided me in the arrest. On searching the premises in Woodbridge I had Justice Taylor with me, and Leonard, Strickland and Westerfield. In searching the shop I had King, Westerfield, Leonard and Strickland. I searched Parkinson's shop as I was informed, and as he informed me himself since. I searched the shop thoroughly, and found in the desk \$10, which I gave to Justice Taylor. I also found \$2,235 and 75 cents. I found it inside of a blind window, behind which was a pocket book, a roll of money, and a tin canister, the article produced, and the oil silk and India rubber cloth. I found these round the notes.

The appearance of the envelopes led me to think they had been buried in the sand—there was some sand on the India rubber cloth. Some ten or twelve plates of glass were against the window in which the money was concealed. I handed them all to Justice Taylor.

Robert Taylor sworn.—These are the articles and money handed to me by Mr. Baird, as taken from 118 William street, and sealed up in my presence; kept at the Police Office since, and opened by me to-day. One package 8 bills of the Farmers' and Manufacturers' Bank of Poughkeepsie, \$20 each, six \$10 each; twenty Bank of Poughkeepsie, \$10 each; one bundle of small bills, various banks, \$100; another bundle, of various banks,—except two 20's, Merchants' Exchange Bank,—one 50, Merchants' Ex. Bank; eighteen 20's, thirty-nine 5's, twelve 2's, and sixteen 2's of the Bank of Poughkeepsie; of the Farmers' and Manufacturers' Bank, seven 20's, twenty 10's, one hundred and twenty 5's, eight 3's, four 2's; in the tin canister, \$16 75; in the box, small bills of N. York banks, amounting to \$10.

Cross-examined by Benedict.—I was not present when Baird searched the premises. I have been there since, and subsequently ascertained that it was in the joint occupancy of the prisoner, Honeyman (or Smith) and Miller.

The counsel for the prisoner objected to any further evidence of the property found in William street, on the ground that the premises were jointly occupied by Honeyman and Parkinson. Objection overruled and excepted to.

WEDNESDAY, NOV. 19.—THIRD DAY.

Charles Bird, recalled.—I found in William street \$2375 and 25 cents, \$1197 in Farmers and Manufacturers' Bank of Poughkeepsie, and \$23 dollars Bank of Poughkeepsie, bills of other Banks \$299, silver in tin canister, \$16 75 cents, and 10 dollars in bills found in the desk. I always understood that Parkinson and Smith were brothers-in-law. Parkinson informed me that Smith married his sister. I have seen Smith and Parkinson together at the time we were looking for Hoppy after his escape from this prison. I have not seen them together since I saw them in Broadway. I have had conversations with Parkinson touching the matter at different times at the Police office, corner of 3d street and the Bowery. Some in the back room, some in the entry, and some in the cells. I never offered him any inducements to make any declarations; he was in custody of the keeper at the time. The conversations were after he was committed for examination, and after he was committed in full. I never used any promises, favors or threats; it was generally while his wife was there. There was a conversation in my presence between him and his wife, in which I took no part. Most generally when the conversations occurred the wife would appeal to me, and if I replied Parkinson would speak to me.

Mr. Smith objects to the witness detailing the conversations, upon the ground that the prisoner was in duress; and cited Barbour's C. T. 419.

By Court. After Mrs. Parkinson had been in conversation with him for some time, she said it would be a hard thing for her if he should go to prison, that if he knew any thing against these persons concerning the robbery he had better state it, so he could get out of prison.

The counsel for the prisoner here renewed their objection, upon the additional ground that any statements made by the prisoner under the influence of that persuasion of his wife, cannot be received in evidence. The Court sustained the objection.

Bird's examination continued.—I rather think the conversations were before the prisoner was examined. I had conversations with him after he was fully committed, and went down in the cell with him, in presence of Strickland.

Samuel C. Mott, sworn.—I am not engaged in business at present. I let an old fashioned house on 51st street, between the Bloomingdale road and the 8th Avenue, to Wm. Parkinson in the latter part of March, for one year, from 1st April 1845, to 1st April 1846, at \$175 per year, and gave him possession of it. Another tenant had charge of it, and he bought his privilege for five dollars, so as to have some repairs done. He took possession about the 1st April. At the time that he called, one of the persons called Cupid, was with him. When Parkinson first came to hire the house, he

called down to my brother's store in Nassau-street. At one time, a lady, who they called Miss Edwards, was with him. She walked up to the house in 51st street with him. After they moved in, I saw her there. Parkinson said she was a niece of his. I never knew that he did not intend to live in it, until I called at his office in William-street, and was informed that he lived in Woodbridge. She rode once down to my house in a wagon with Cupid, to see about some repairs that were said to be required at the house.

The counsel for the prisoner here objected to the witness testifying who he had seen at the house in 51st street, and the witness was restricted by the Court to Parkinson.

Witness.—I saw Parkinson there while the house was repairing; and twice before the first quarters rent became due. I saw the prisoner Miller, called Cupid, there. Parkinson was not there at the time I saw Cupid there. I have seen this Miss Edwards there. Parkinson introduced her to me as his niece. The premises are now shut up, and not occupied. I do not know when the tenants left. I do not know where the keys are now.

John D. Hager sworn.—I reside in New Brunswick, am clerk on board the steamboat Raritan, Captain Fisher. She runs between the city and New Brunswick. Mr. Parkinson has been in the habit of traveling in our boat from this city about three years. The boat commenced running in March last. He travelled with us in the spring of the year, also in last June. His habit had been to go down on Saturday and return on Monday or Tuesday. I do not think he returned with us since May last. The usual fare was 25 cents. Parkinson went down in the boat four or five times between the first week in June, and 3d of July. On the first week in June he gave me a \$10 bill of the Bank of Poughkeepsie to take out 25 cents. The second week he gave me another \$10 bill of the Farmers' and Manufacturers' Bank of Poughkeepsie. With one exception he continued giving me \$10 bills for fare of 25 cents, all Poughkeepsie notes. On the 3d of July he gave me a \$20 bill to take out 25 cents, when I left the note with Justice Taylor. I took a memorandum of it so as to be enabled to remember it. This is the note, my own initials are upon it. It is a \$20 bill of the Farmers' and Manufacturers' Bank of Poughkeepsie. I gave him \$19.75 cents in change. He kept sailing with us every week up till the 8th of August; and on the 16th of July he gave me a \$50 bill for 25 cents passage. The bill here shown to me is the same.

After the 4th of July he went out with us on Thursday instead of Saturday. The \$50 bill is of the Farmers' and Manufacturers' Bank of Poughkeepsie. I gave him uncurrent money in change. I never received any Poughkeepsie notes from him or any one else, before May or June last. I have never seen any of the other prisoners on board of the boat in company with Parkinson.

Isaac Fisher sworn.—I am Captain of the Raritan; live in New Brunswick. I think I have known Parkinson as a passenger with me about 5 years. He called upon me on the 21st of June and handed me a \$50 bill in payment for some meal, amounting to \$15. It was a Poughkeepsie bill, as far as my memory serves me. The next transaction I had with him was on the 31st of July; he sent on board my boat 15 bags of ship bread; the freight amounted to \$1.50, for which he handed me a \$20 bill of the Bank of Poughkeepsie. The note produced is the same. I sold to his man a second lot of meal, for which Parkinson, on the 8th day of August, paid me this \$50 bill of the Farmers' and Manufacturers' Bank of Poughkeepsie. The meal amounted to \$15.

John F. Hull sworn.—I reside in Poughkeepsie. Am teller of the Bank of Poughkeepsie. I am in the habit of going for the exchanges from New York. On the morning of the 6th of April last, about 6 o'clock, I went on board the Clinton. I found Mr. Cary, and asked him for the packages. He went to the office and unlocked a small drawer in the desk, took out a key, opened the safe, and took out two packages. One was a package belonging to the Farmers' and Manufacturers' Bank, marked E. P. Benjamin, Cashier, the other marked N. North, Cashier. I asked him if they were all; he said Yes, there did not appear to be any more there. Mr. Cary and I looked in the chest, and there were no more there. Mr. Cary remarked, perhaps the clerk of the Farmers' Bank had been for them. He went and inquired of Captain Whitale, who came up and went into the office, when he looked into the chest, and found nothing there. One of the packages had on the envelope E. P. Benjamin, marked \$1900. I took both the packages; saw Mr. North open one, which contained a bank book. There was no money in it. This was the one marked \$1900. I did not see the other. I always count the exchanges.

Charles Bird, recalled.—I went to the house in 51st street after Honeyman and Davis, on the 8th day of last August, the day Parkinson was arrested. I went about 2 o'clock in the afternoon, and took officers Leonard, Strickland, and Waterfield with me. The counsel for the prisoner objected to any evidence as to the persons or property found in the house in 51st street.

The Court overruled the objection, to which the prisoner's counsel excepts.

Charles Bird, resumed.—I found the three persons, Smith, Miller, and Davis, there; also, Smith's daughter, and a young woman I was looking for. Miller ran out, and was stopped by officer Leonard. I arrested them, with the other officers, and took them to the chief's office. I reached the house between 4 and 5 o'clock of the same day. I found \$350 in bills of one of the Eastern Banks in a pocket-book in the lid of a trunk. I also found in a bureau some silver money, which I did not take. I also found in a writing desk of Miller's a bill of exchange, which I will know if I see it. The bill now produced is the same. It is a bill of exchange for \$20 sterling, dated 16th July, 1845, payable to the order of Sarah Dowling, drawn by Sylvester. I found Bank of England notes in a canister on the person of Davis; these are the same, 8 Bank of England notes of the denomination of 25 each, 2 £20, and 2 £10. The loose notes I did not count. This canister, containing gold, I took from Davis; the other one I got from the house in William street. The purse of gold was brought to me by a young woman, who I got to search Smith's daughter, amounting to about \$30, and Smith's daughter claimed it afterwards as hers. I gave it to her. On unrolling the india rubber cloth around the money in William street I recollected seeing a piece of india rubber cloth, which I told Justice Taylor I thought came from the house in 51st street. The piece now shown came from the house in 51st street. I found that a piece had been cut off which that found in William street round the money exactly matches. I found this piece of oil silk with some sand on it, and small brads in it. I found in Smith's pocket a paper containing brads of a similar kind; they are peculiar.

Cross-examined by Mr. Smith.—I believe there is a reward of \$3000 offered for the recovery of the money, and the detection of the robbers. The further cross-examination of this witness was suspended until a pocket book and papers taken from Smith could be produced.

Frederick White, sworn.—My place of business is at 35 Wall Street. I am an Exchange Broker. I sold Bank of England notes to Parkinson, on the 31st of July, amounting to \$20. There were two £10 notes, and four £5 notes. I sold these two £10 notes now produced, to Parkinson. I cannot say positively what money I received for these notes. The prisoner is the person to whom I sold them. My impression is that I received one of the Poughkeepsie notes. Cross-examined by Mr. Smith.—I have put the same of the person, to whom I sold the notes in two

places in my memorandum book. He gave me his name.

Alexander Mosker, sworn.—I live in the township of Perth Amboy, N. J., with my father. I first went to work with Parkinson five years ago, at 114 William street. I was an apprentice to him. He was in the business of a Carver and Glider. I left him on the 2d of May last. I knew Smith, the prisoner there. My acquaintance with him commenced two years ago. I knew him down to the 2d of May last. He slept at Parkinson's at 118 William street for a short time. He slept about three weeks at 114, before Parkinson moved to 118, on the last of May last. Previous to the three weeks he slept at Parkinson's, Smith lived at 27 John street. I have been often there. Mr. Miller and Davis also lived there. I have seen them all at different times in Parkinson's shop conversing with him. I knew that they had moved from 27 John street, but I never knew where they had moved to. My sister lived in the house 27 John street. When the prisoners came to Parkinson's shop, they talked together in the room; here Parkinson usually stood, which was in the office, partitioned off. I have been there when they were there. There were no men at work in that room except the book-keeper. I have been down to the steamboat Raritan. I recollect that Miller went down to her on a Saturday afternoon, which was the afternoon Parkinson usually went down. Parkinson came back Monday night, and I saw Miller come ashore with Parkinson. I was waiting at the boat—My father's house is about a mile from Parkinson's. He married my mother's sister. I knew a niece of Parkinson's. I always knew her by the name of Matilda Horton. Never knew her by any other name. She was married while I was there, before that she went by the name of Honeyman. She was married to a man named Horton. Mr. Honeyman (i. e. Smith), is the father of this young lady.

Examined by Mr. Smith.—I am not on very good terms with my uncle. Have not spoken to him since the 2d of May last. I believe Honeyman slept in the 3d story of the house 118 William street. I cannot say how often. I do not know that Parkinson was in partnership with Honeyman. Parkinson never told me that he was. Honeyman was very frequently there. He had his bed and bed-room on the 3d floor. I don't know that Parkinson ever hired a room or house for his niece, or a store for her. I do not know he hired a house in Mott-street. I do not know that he hired, nor do I recollect seeing him pay the rent of it. I am 17 years old. I have talked to Mr. Paterson Bell and Justice Taylor. I have got no money for coming here, and don't expect anything. My father gave me money for my expenses here. My sister of last witness lived at 27 John street. I went to live there 12th of May, 1844. Honeyman, his daughter and Miller, lived there. Honeyman and Miller are in the Bar there (pointing to prisoners' Dock). The daughter went by the name of Horton. Her first name is Matilda. I remained there until February, 1845. I know Mr. Parkinson, have seen him frequently at 27 John-street. He was with them and knowing them. They were all there when I left in February. I have never known Mr. Parkinson to sleep there, but have known him to eat there; he would come in on a Sabbath day when he was in town and take dinner there. I have seen the prisoner, Davis, there often. I think I saw him there the last day of February. I left there shortly after his coming. He was an inmate of the house, he slept and ate there. I left the house about two weeks after he came. I have been frequently at Parkinson's place in Woodbridge, when he was there about two years ago. I have not been there within the last year. I saw Mr. Parkinson and Mr. Davis on board the Raritan in May last. I don't think I ever saw Parkinson and the others with him on board the Raritan. I know Davis and Parkinson went to Woodbridge together in May last.

Cross-examined by Mr. Smith.—I followed cutting gold leaf when I lived in John-street. Parkinson came there to get gold leaf. His niece followed the same business. I cannot say whether Mr. Parkinson hired a house for his niece. I do not think I ever heard anything said about it. I did not know her when she lived in Mott-street. Our families do not visit, that is, Parkinson's and my father's.

James Pratt, sworn.—I am a sign and house painter. I was in Mr. Parkinson's employment after last March. I slept there last December, but did not receive wages. I continued sleeping there until May, when he moved from 114 to 118 William street. I was employed as clerk at 118 William street, and in the same capacity at 27 John street. I left Parkinson four or five weeks before his arrest. Have seen Honeyman there often. Have known Parkinson to be there at night. Have known Honeyman to sleep there three or four nights at the time he was assisting in fitting up the new place 118 William street. Never knew him to sleep there before. He slept there six or seven times afterwards, between the beginning and latter end of May; I have known Parkinson to sleep there all the week; when he came always. I know Mr. Honeyman and Mr. Miller. Have seen them both there and have seen Parkinson at Honeyman's, 27 John-street, with Miller, from six to ten times.

Cross-examined by Mr. Benedict.—I have known Parkinson to be in business in William street seven years ago. I think I might say, I was in his employment ten years ago. Parkinson got his gold leaf from 27 John street. Honeyman had a bed and desk in a room in the third story at 118 William street. I know that Parkinson hired a place for his niece Mrs. Horton, in Mott street, a year and a half or two years ago. That is, I heard so. Parkinson did a fair business there. Sometimes it would be prosperous for three months, and sometimes it would not be so. I always considered Mr. Parkinson a man of property.

Examined by Mr. Paterson.—I should say he was worth \$16,500, at a rough calculation, but he was worth more. I went to 27 John street repeatedly for gold leaf, and took messages, the last time in March or April. I found the house was shut up in April. I never heard where they had removed. Mr. Parkinson never told me where they had moved, and never heard Honeyman say. I never went for gold leaf after the house in John street was shut up.

Cross-examined by Mr. Benedict.—The books after the first of May last were kept in the copartnership of Parkinson & Co. I do not know who the company was. It was told to me that Honeyman was the partner, but I do not believe that he was any more than I was.

James Taylor, sworn.—My place of business is at 73 Fulton street. I am a ship bread baker. I employed Mr. Parkinson to gild some frames, and sold him some refuse bread in the latter part of June last, amounting to \$14; he did not pay for it at the time, and in July last called and offered a \$50 bill of the Farmers' and Manufacturers' Bank of Poughkeepsie.

Thomas Thomas, sworn.—Am a gold beater, No. 20 Ann street. I sold Parkinson on 31st July, six packs, amounting to \$34 67 cents. I received pay for them. My boy brought me a \$50 note on the Farmers' and Manufacturers' Bank of Poughkeepsie. I sent the change to Mr. Parkinson by my boy.

Justice Taylor recalled, and proves the examination of William Parkinson taken before him. Objected to by prisoner's counsel upon the ground that it does not appear upon the face of the examination that the prisoner was cautioned.

Justice Taylor.—I cautioned the prisoner in the precise language of the statute. I informed him of the charge, and cautioned him as to his rights; his counsel, Mr. Benedict, was present. (The Court overruled the objection, and the examination was read, under exception.)

By Mr. Griffin.—The receipt I now produce was found in a wallet taken from Honeyman alias Smith. Receipt dated 16th May, 1845. \$250 paid by Honeyman and Parkinson for half the amount of stock in trade.

THURSDAY, NOV. 20.—FOURTH DAY.

H. B. Jenkins.—Assistant to 1st and 2d tellers in Phenix Bank; been there 2 or 3 years; was there in the latter part of March; marked off the checks and examined the exchanges to see if they were right. After the Farmers' Bank of Poughkeepsie is examined by the first teller, it is handed to me to see if it is right. I count it and put it up in envelopes, mark it and hand it back to the first teller. This is all my agency in the matter. I counted the money the six days before the 7th of April last, after the first teller, and found it to be correct.

Benj. A. Hobart, sworn.—I am porter of the Phenix Bank; been there 30 years, and all my business is every day to seal up the packages to go away. I generally go to the first teller's trunk and take them out and seal them up, and put on the Phenix seal, direct them according to their destinations, and return them to the first teller. I was in the Bank the week preceding the 7th of April last.

Wm. Marsh, sworn.—Reside in Rahway, N. J. I am clerk in the Bank at that place.

District Attorney.—Mr. Marsh, look at that bill—(bill produced.)

District Attorney.—Have you ever seen it before?

Answer.—I think I have. It was offered at the Rahway Bank.

Question.—By whom?

Mr. Griffin.—Stop a bit now. If it was not offered by Parkinson we object to it.

Mr. Paterson.—Well, sir, I state I expect to prove it was offered by Parkinson's wife.

Mr. Griffin.—Well, you ain't going to send a man to State Prison for what his wife does.

Recorder.—Mr. Griffin, in the examination of Parkinson he says he gave \$200 to his wife.

Mr. Hoffman.—Why, if the Court please, we have proved that bills of the Rahway Bank were found in Parkinson's house.

Recorder.—The evidence is clearly admissible.

Mr. Paterson.—Mr. Marsh, did you give this bill to any person?

Mr. Marsh.—I gave it to a New York officer.

Mr. Paterson.—Mr. Bird, step up here. Mr. Marsh, is that the person?

Ans.—I think so; it looks like him.

Wm. Marsh's testimony resumed.—A lady by the name of Parkinson presented this \$100 bill on the Farmers' and Manufacturers' Bank of Poughkeepsie. I gave her \$10 notes in exchange on the Rahway Bank.

S. C. Raymond, affirmed.—Resides in Poughkeepsie. Is teller of the Farmers' and Manufacturers' Bank in that place. Remember the arrival of a package of money at our Bank. It came from the tow-boat Clinton. It contained \$1900. The sum corresponded with the marks on the envelope. We had received advice that money was to be sent us.

Aaron Mosker, sworn.—Resides in Perth Amboy about a mile from Parkinson's house; have known him for twelve years. He married my wife's sister. I have not been to his house for six months.

Mr. Griffin.—What has this to do with, a little—if he has not been to Parkinson's house for six months, is Parkinson to go to State Prison for that?

Mr. Paterson.—Certainly not.

Mosker, resumed.—When I came to town I was in the habit of going to prisoner's shop—been to 27 John street. Seen all the prisoners at 27 John street—can't say I ever saw Mr. Davis there more than once.

The latter part of last winter I always seen Cupid and Smith there. I always went to Parkinson's shop when I came to this city—always seen Honeyman there—never seen them at Parkinson's house in Woodbridge.

Mr. Miller came with Parkinson for to see me at my house.

Mr. Paterson.—Have you seen any of the other gentlemen there?

Ans.—No, Sir. I have had dealings with Parkinson. I used to do his shoemaking for him. I never sold him any animals. My son was in his employ. He received compensation for his services. I received it for him. The last money I received he paid me without any hesitation. He sent \$6 out by my boy the 2d of May last; that was due for my son. I have been to him when he has said money was short. He has said he was pretty much run out. It has not been this year. I could not give any certain time.

Mr. Price.—About how long ago?

Mr. Paterson.—Mr. Price, I guess I can get along with him.

Mr. Mosker.—I never had any transaction with him about a cow. I sold his wife a cow, for which he paid me. At his store in William street, about the middle of April, he paid me \$16 for it. It was bought last fall. I did not call for the money until the middle of April. I don't recollect what money he paid me. He paid me the full amount without my giving him any change back.

Cross-examined by Mr. Smith.—Question.—Does Parkinson own a farm at Woodbridge?

Answer.—I always understood he did. It is rising a hundred acres. I think it has been pretty well stocked. He has been there about 7 years. His credit stood as well as any persons in that county.

Mr. Hoffman.—In money transactions?

Mr. Griffin.—Certainly; we don't mean to go further.

Mr. Whiting.—I suppose not. (Laughter.)

Mr. Mosker.—His family resided there all the year, winter and summer. He had from 15 to 20 head of cattle. Don't know who farmed it. I know the person who lived on it; his name is George Wilson. He was there up to April last. He has no family, I believe. He is still there. I don't know how he worked it—if on shares or not. Parkinson told me there was a mortgage on his farm for \$2000.

By a Juror.—I don't know what the farm is worth.

By Mr. Benedict.—I should suppose it was a valuable farm.

Recorder.—What is the farm worth?

Mr. Mosker.—Some of it is worth \$20 to \$50 an acre.

J. G. Ogden, Jr., recalled.

Mr. Paterson.—Did you ever see this bill before?

Ans.—Yes, Sir, I know it by my own figures on it; it is a \$5 bill of the Farmers' and Manufacturers' Bank of Poughkeepsie.

(This bill was taken out of the window in the house in William street.)

Witness.—I marked this bill when I put up the package. This must have been the top bill.

By Mr. Griffin.—The bill is dated 3d July, 1844.

By the Court.—I only mark the bills which I send away.

By Mr. Griffin.—The Farmers' and Manufacturers' Bank of Poughkeepsie have not kept an account with us for a year. We sent them 6 packages a week.

T. W. Griffiths, sworn.—I was employed in Mr. Thomas' gold beater's shop in Ann street. I went to Parkinson's shop in William street and brought a \$50 bill, which Parkinson gave me, and I gave it to Mr. Thomas. I never took but this single \$50 bill from Parkinson. I can't tell what time it was.

Wm. Turnbull, sworn.—In business at 226 Fulton street; don't know Mr. Parkinson; never had any transactions with him. I changed a \$20 bill for Clarke & Fish's book-keeper, Mr. Wright.

Mr. Griffin.—Don't, don't, don't let's have this.

Witness.—It was on the Poughkeepsie bank, I can't tell how long it was ago; about two months; it went in the bank the same day on our deposit.

Alfred Wright, sworn.—I am book-keeper at 228 Fulton street. I received a bill from Mr. Parkinson in payment for goods; it was a \$20 bill. It was the same bill I took to Mr. Turnbull's; I think it was three months ago. I would not know the person if I was to see him. I do not of my own knowledge know that his name was Parkinson. I did not send the goods home, he told me to hire a cartman and send the goods to William street.

Mr. Griffin.—Mr. Paterson, you are going to send me to small particulars.

Mr. Paterson.—That's all right.

Mr. Griffin here read, and made a motion for the whole of Mr. Bird's testimony to be struck out, on the ground that he was an interested witness; that he depended upon giving the statements of what he saw, and if the prisoner should not be permitted to cross-examine him, he would be unable to clear his name.

Mr. Whiting replied, and moved that the testimony in opposition to the motion of Mr. Bird be read, and that Bird be a competent witness, and that he be entitled to testify by the jury.

The Recorder declared that he would not make a motion would be to read the testimony of Mr. Bird, and that it was entirely irrelevant. He said that the testimony of Mr. Bird was not relevant, and that the Court and the jury were not to be misled by the testimony of a convicted man, the Government was not to be misled by him to receive his goods, and that the Court was not to be misled by him to receive his goods.

Under these circumstances the Court was bound to deny the motion of Mr. Bird, and to allow the handbill offering a reward to be read, and to allow for their mere detection.

Joe. Westerfield.—I am Captain of the 11th Police. I was present on the 10th August when the house in William street was searched. I was with officers Bird, Berg, and Strickland, and the orders of Justice Taylor. We went to the house in William street to a building in the rear, a carpenter and glider's shop. We searched the different rooms.

After searching a room in the upper part of the house I went down, and while searching there, officer Bird hollowed out. I've got it. I went up and saw Bird with the money in his hand, which he had just taken out of the window. The window was composed of glass and glass. We did not examine the money then. It consisted of a pocket book and one or two rolls of bills. I don't recollect seeing a canister. We took what we found to the Upper Police, opened it and counted it before Justice Taylor, who took possession of it. I went out to 51st street on the 8th of August. Bird, Strickland, and Leonard, was with me. Bird and I went in. The house is in the centre of the 8th avenue and the Bloomingdale road. We went in at the west door. We had to go in through the kitchen. Found Smith and Miller. Smith remained, but Miller went out of the door into the entry. He ran out. Officer Leonard arrested Miller. I remained in the room with Smith until Miller and Davis were arrested. It was about 4 o'clock, P. M. I did not make the search immediately. We searched the house after we had taken the prisoners to the Police. In the house we found \$300 in a new trunk and some gold on Smith's daughter. All we found was brought to the Police office and given to Justice Taylor. I saw some Bank of England notes taken from Davis. I went to New Jersey with Justice Taylor, Bird, Leonard, and Strickland. We went to the house of Parkinson at Woodbridge. We found an old lady and Mrs. Parkinson there. We found \$335 in a bureau drawer; can't say what kind of bills they were; think Justice Taylor took them in his charge. Nothing further occurred that I recollect.

Cross-examined by Mr. Smith.—I think the window in William street, where the money was found, was on the third story. I was aware that there was a reward. James Leonard, sworn.—I am a policeman; I was engaged with Bird on this occasion. I first went with Bird at the foot of Barclay street, on board the steamboat Raritan. On the 3d day after, we arrested Parkinson and took him to the Police office, where he was searched, and two \$50 notes on the Poughkeepsie Bank, two 20's, and some gold and silver, found on him. We counted the money and gave it to Justice Taylor. We next went to 51st street. Strickland left me. I stood in front of the door when Miller came out. I asked him where he was going; he said in the garden. I told him to go back with me; he refused at first, but finally went back. I next saw Davis coming downstairs; I made a prisoner of him, and we took them to the Chief's office; from thence to the Upper Police. We found upon Davis, eight Bank of England notes, and some gold and silver. We next went back and searched the house; we found a draft on the Bank of England for \$20; and found some gold upon Smith's daughter. I afterwards went to Woodbridge with Justice Taylor. We found in Parkinson's house, in a pocket book in a bureau, two 50's on the Poughkeepsie Bank, and two 10's on the Fulton Bank, and some silver and gold in a purse; it was all given to Justice Taylor. Parkinson's house was a farm-house; some parts elegantly furnished; some of the furniture new and old. Mrs. Parkinson, her aunt, and George Wilson, and a colored boy, were at the house.

Examined by Mr. Smith.—I knew there was a reward offered for the money—heard so from Mr. Bird. The District Attorney here stated that Mr. Benedict, an important witness, was confined to his house in consequence of injuries received from being thrown out of his carriage. He would therefore propose, that one of the counsel on both sides should proceed to the residence of Mr. Benedict, and take his testimony.

Griffin.—Oh no, we can't do that; the prisoner must hear the evidence.

Mr. Paterson.—Well, we can take the prisoner there.

Mr. Griffin.—No you don't, no you don't. I sympathize with my learned opponent for his uncommon lack of testimony. (Laughter.)

Dr. Wilson was called, and testified that Mr. Benedict was too ill to leave his house.

Mr. Paterson.—If the Court please, no attachment could issue against Mr. Benedict, but I know of cases where the court, jury, counsel and prisoner went to the residence of a sick witness and took testimony, as in the case of Verren.

Mr. Whiting.—Yes, but that was by consent.

Mr. Paterson.—If the Court please, I will state to the Court what I expect to prove.

Griffin.—Oh now, don't. This is extraordinary indeed.

Recorder.—Mr. Whiting, do you know of any case as a precedent?

Mr. Whiting.—No, sir; not unless by the consent of the prisoner.

Mr. Griffin.—Well, well, we won't give our consent.

Mr. Paterson.—I know you won't. We are not going to ask it.

James King.—I was at the search of the houses in William street and 51st street. Leonard, Bird, and Strickland, were with me. I am not an officer. Am Crier of this Court. I was searching in the second story in William street, when Mr. Bird said he found the money. The window appeared to be a glass window, with some lines behind it and some rubbish. The money was found rolled up in a piece of india rubber cloth, or oil cloth. All the articles found were given to Justice Taylor. I went to 51st street next day; found two officers there; searched, and in the last story I found this piece of india rubber cloth, a new saddle, some oil silk, some brace and bits.

Griffin.—What, sir?

Paterson.—Some brace and bits; you know what they are.

Griffin.—Oh yes! some horse fixtures. (Immense laughter.)

Witness.—I also found a pair of pistols, and a letter directed to Sarah Dowling; I found no money. I saw Miss Edwards there; I don't recollect of any thing else. I had very little conversation with Parkinson. I had him in custody 7 or 8 hours; he spoke very little.

At this stage of the trial the Court decided that it was not in the power of the Court to order the examination of Mr. Benedict, at his residence.

Mr. Price here announced that an important witness, Mr. Phelps, was expected to be in court by 5 o'clock, but he had not yet arrived; he would therefore suggest that the Court take their recess now—to which the Court assented.

James King, recalled.—I stated that officer Leonard went with me to 118 William street. It was Captain Westervelt that went with me. I wish to correct my testimony in regard to this, as I stated this morning that Leonard was with me.

The District Attorney here stated that at the last term of the Court he assigned as a reason for the case not being tried at that time, that an important witness, named Catharine Lee, was absent, and it was impossible to serve her with a process. A messenger was sent to Connecticut, but he arrived too late to secure her, but he ascertained that she was taken away from the place where she was at service by two men in a wagon. He was now prepared to prove that she had been kept out of the way by some of the prisoner's friends, and he would proceed to examine witnesses who would prove who was the person in the abduction of the girl; also that her whereabouts was concealed, and she was kept out of the way.

Mr. Griffin said this case was not to be carried on this way. We have not the use of water power here. Mr. Patterson said that the testimony taken before the magistrate, in the presence of the prisoner, was perfect evidence, if the prosecution could prove the witness had been kept out of the way by the accused.

Mr. Smith.—I can say in regard to the witness being kept out of the way, that the statement is entirely false.

Recorder.—Well, let us hear what the prosecution say.

Mr. Patterson.—I will only read a little law. I don't intend to make a speech.

The District Attorney then read several authorities in support of the position which he assumed.

He then proposed to prove the abduction of the prisoner; then that the testimony was taken before the magistrate in proper form, and then to read the deposition of the girl, Catharine Lee.

Mr. Whiting followed, and quoted 1st vol. of Howard's State Trials, page 771.

Mr. Griffin.—Mr. Whiting, I am sorry to interrupt you, but the Court are aware that the term of this Court must close on Saturday night, and it seems to me we shall be driven into that time. I should like to know if you mean to dispute that the deposition of the girl was not taken in proper form.

Mr. Whiting.—Certainly I mean to, and not only dispute it, but prove that the examination was taken according to law, and in the presence of the prisoner.

If we do not finish the case by Saturday night it shall not be my fault. The counsel on the other side ought not to talk so much. (Mr. Whiting then cited a case from 12th Howard's State Trials, page 851, which was precisely in conformity with the position which the prosecution assumed.)

The Recorder stated that it was the opinion of the Court that the evidence should be admitted; provided that the prisoner was present when the examination was taken, and that the witness was abducted by the means of the prisoner or his friends. To which decision the prisoner's counsel excepted.

Justice Taylor, recalled.—I was the magistrate before whom the preliminary examinations were made; these are the affidavits of Catharine Lee, taken before me on the 11th and 12th of August. In relation to the first affidavit, all the prisoners, I think, but Mr. Parkinson, were taken to their cells before Catharine Lee was brought in. On the 12th of August all the prisoners were present. The first affidavit was then read in their presence, and the prisoners were asked if they wished to put any questions to her, and they said, No; they had always thought a great deal of her, and had no questions to ask her. She was re-sworn in the presence of the 4 prisoners.

Examined by Mr. Smith.—I gave immediate orders to have their counsel sent for, and even went myself. I am not positive of this. No testimony was taken at any time, when the prisoners objected. The prisoners declined to cross-examine Catharine Lee. I think at this time they had no counsel present. They had no objections to the witnesses being examined.

Direct resumed.—I informed them they had the right to cross-examine the witnesses, and they severally declined. I sent, and also went for counsel for them. The depositions are in the same condition now as when they were signed and sworn to by the witnesses. (Mr. Smith here contended that the foundation for the introduction of the proposed testimony was not properly laid, and argued thereto.)

Court.—Decline to hear the prosecution, and decide to admit the testimony.

Joseph Westervelt recalled.—I knew a person named Catharine Lee. She was living at the corner of 12th street and 1st Avenue. I went home with her there from the Upper Police. I was present when she was before the magistrate. The prisoners were present. Mr. Parkinson said he had no questions to ask her. That was the last I saw of her.

Examined by Mr. Smith.—At the time the affidavits were read in the prisoners' presence, they all said they had no questions to ask her.

Allice Bowen, sworn.—I live at the corner of 12th street and 1st Avenue. I know a girl named Catharine Lee. I never saw Captain Westervelt with her. She came to live with me, to the best of my opinion, the 20th of August. She is the same person who went to the Police office, to be examined. She lived at my place when she was out of a situation.

Q.—Did she tell you she was going to live in 51st st.?

Griffin.—Oh, that won't do.

Whiting.—Why not? I will show you if I can, that it will do. We have tried to teach you some law, but we despair of doing so. (Question withdrawn.)

Witness resumed.—I can't tell what month Catharine left my house; I can't tell where she went to live; she told me she lived near Bloomingdale road.

By Court.—She did not tell me where she was going to live; I have not seen her since the 2d of August; she went away before breakfast; some man came from an office down town for her.

Smith.—Intelligence office?

Phillips.—She did not say so: it might have been a lawyer's office.

Witness resumed.—A lady came to enquire after Catharine; she asked me if I knew where she was gone; I said, No; she said she had a cousin with her; she then asked for Catharine's brother; I told her that he was sick; his name is Francis Lee; he left my house 5 weeks since; I can't tell where he went; he was dressed in a pilot's coat; he went away about 12 o'clock in the morning. He got up the night the lady called; he saw her and went down stairs with her; the girl that lived with me went to his room to call him; it was about 5 weeks ago that the woman called; she went away the next day.

John Bowen, sworn.—I knew Catharine Lee; she lived at my house; she was a servant in Bloomingdale, as she told me; she said at my house when she was out of a place; I never saw her in 51st st. She came to live with me about the 20th of August; a young woman named Mrs. Edwards came to see her. Catharine was in Connecticut at the time; she got a situation in an office, and went to live in Connecticut.

Smith.—She got a situation in an office?

Patterson.—Yes, in an office.

Witness resumed.—She told me she was going to live in Connecticut; she had a ticket in her hand. No person brought me a letter from Connecticut; she left me about 2 months before the brother left; he left about 5 weeks ago; I remember Justice Taylor's calling at my house; the brother left about 10 days before that; it was on the Friday before Justice Taylor called on me. I have never seen Catharine since, nor her brother. I have inquired for her, and have not been able to find her. He told me he should be back on Monday; I never have seen Mrs. Edwards (Smith's daughter) since.

Examined by Mr. Smith.—Mrs. Edwards told me her name, herself; she left her name for Francis Lee.

Justice Taylor, recalled.—On the 20th of October I left this city for Hartford Ct.; on my arrival there I took the case, as far as they went, in the direction of

Pequot; on leaving the case I took a private conveyance and went to the house of the Post Master, and inquired for Catharine Lee; I inquired of Mr. Phelps for her; he said that two men had taken her away in a wagon; about 4 hours after I arrived he went in pursuit of her; I went to New Haven, but could not find her; from information I received I found she had taken the cars at Hartford; I returned to the city the 22d, on Wednesday, and went to Bowen's house; nothing particular transpired there.

The Court decided that the prosecution had not sufficiently established that Catharine Lee had been abducted by collusion of the prisoners, and therefore her testimony could not be received.

This prosecution here rested their case.

Mr. Griffin then rose and stated to the Court that he did not consider the prosecution had made out a case strong enough against the prisoner to warrant the counsel to put him on his defence. The Recorder replied that he did not consider the Court had the power to direct a verdict of acquittal. Strong facts had been made out, and it was for the jury to pass upon the question of the guilt or innocence of the prisoner.

Mr. Benedict then proceeded to open for the defence. After stating the public press he stated that in the first place he would show that the day the money was stolen Parkinson was not in the city and county of New York. (Alibi No. 1.) In the second place Parkinson was a man of abundant means. (Point No. 2.) And in the 3d place, he was above suspicion of committing such an offence; and in the 4th place, that the premises in William street, where the money was found, was in the occupation of another person and not the prisoner.

(This defence—especially the contemplated alibi—caused much amusement among those members of the court whose experience brought to recollection the miserable attempt made by certain counsel in the Costello case; but when it was whispered that the alibi rested upon the testimony of Robert B. Foster, a horse dealer and distiller, of Brooklyn, and John Hoyle, a horse doctor, of the same place, gravity assumed the place of humor.)—*Editors Police Gazette.*

Testimony for defence.

Robert B. Foster, sworn.—I reside in Brooklyn, in Flushing avenue; am a liquor merchant. I know the prisoner; have known him since March last. He has been at my place twice; he was there in April last, on the 7th. He came about half past one P. M. I was at dinner when he came; he came with Mr. Honeyman to buy a horse; he said there all the afternoon, until about 6 o'clock. It was on Monday. Mr. Honeyman purchased the horse; he paid \$25 in part payment; at that time the price of the horse was \$45. He paid \$25 and left the animal with me until he had paid the balance. I gave him a receipt.

Mr. Griffin.—We want that receipt.

Mr. Smith.—Hand us the receipt Justice Taylor.

Mr. Whiting.—Not yet, we have got something to ask about that receipt.

Recorder.—Mr. Griffin, perhaps the counsel for the prosecution wish to cross-examine the witness about it, until then the production of the receipt is not proper.

Griffin.—Well, we must accept to the decision of the court; the receipt is now in the hands of the Chief of Police.

Mr. Smith.—But the counsel has a right to it.

Recorder.—Certainly there is no objection to that, Mr. Whiting.

Whiting.—Certainly there is, sir. The prisoner has attempted to prove an alibi, which the law says, is a defence easily manufactured, but not so easily sustained; and until he has an opportunity to cross-examine in relation to this receipt, it must remain in our hands. The receipt was, however, handed to the counsel.

Cross-examined by Mr. Whiting.—My name is Robert B. Foster; B. stands for Bass. I am 40 years of age; came to this country four years ago. When I first arrived I went to the Astor House. I came in the British Queen; had no friends on board; don't recollect what day I arrived; my name can be found on the books at the Astor House. I shipped at Southampton. I lived at 37 St. James street, London; in the same business as I am now. I was in the basement close to Fenton's Hotel, on the left hand side of the street going down. My place is on the same side as Fenton's. I was there about 2 months. It was nearly opposite Bond street. I was not in business for myself. I was in the employ of Joseph Lee. We used to sell liquors from the London Docks. Mr. Lee did the same as I did. He employed me by the year. I can't tell when I went to live with him. I could tell if I had my papers. I left them at my house. I hardly recollect what place was above the cellar. I was there but seldom. When Lee used to sell wines. I used to attend on the docks. Lee came down every day to the Docks. The cellar was only used as an office. I was at home at Beverly when Mr. Lee employed me. It is nearly 200 miles from London. He employed me by letter. Mr. Bowen's wrote to the firm London. Mr. Lee engaged me at £200 a year. I did not go up to his basement then. He took me right down to the Docks. I went to the basement on Saturday, about six o'clock. I can't tell what kind of a shop was ahead of the basement. I think it was a hotel. I cannot tell what kind of a shop was above the basement; a man who is on the docks all day cannot tell much at 6 o'clock. I came from Beverly before I went to Lee. I was out of employ there two years. I can't tell who I knew on the docks or who knew me. I don't think it is advantageous in this case to know who I was acquainted with. (Laughter.) I knew Mr. Ray and Mr. Wilson in the wine trade. They both knew me. All the vessels from the wine countries came in at those docks; also the ships from America; the Gladiator and the Mediator. I was out of employ about two months before I came to this country. Before that I was in partnership with James Elliott in Rumford street, in Liverpool. The name of Robert Elliott & Co. were up. I left there in the month of May, for this country. The distance from Liverpool to Southampton is about two hundred and sixty miles. The reason I went to Southampton was, I wanted to come to the British Queen. I did not leave in a hurry. (Laughter.) I left my wife and children in Liverpool. I said at the Astor House 4 weeks. Next went to Canada.—Montreal. Staid at the Belfast House, kept by a man named Griffin. Stayed there about a month. It was at the time of the arrival of Sir Charles Metcalfe. I imported some goods there from England; they were consigned to myself; can't tell what vessel they came in. After I staid in Quebec 4 weeks, I came back to New York. I could not get my business settled. Went back to Quebec. Came back to New York, and commenced business at No. 71 Water st. Next kept tavern at 230 Water st. Bought out a man named Fowler; rented from Higgins. Next went to Fulton street, Brooklyn, near to Jackson street. I don't recollect positively who I hired from there. I mean Mr. Laban opposite; he keeps the Bull's Head; Mr. Fowler a widow keeps the Mansion House in Franklin Square; I lived in Fulton st. 34 of a year; next went to Wiloughby St. House, owned by a widow lady, who lived on Fulton st.; she is now dead; I lived there 34 of a year; next went where the persons came to buy the horse of me; I have a distillery there; I have moved from there higher up; became acquainted with Parkinson's shop in William st; went there to buy some pictures to hang up in my bar room; this was about the 1st of March last; I know Honeyman; became acquainted with him 18 months ago, at Mr. Ward's Mechanic's Hall, in Catharine st.; don't know any of the other prisoners; never saw any of them before; I know a person by the name of Bill Hopp; I know the man you mean; he has never been in my house; I sold Honeyman, gin in John st.; the first I sold him was in March last; sometimes he ordered it; I delivered 2 bbls. to Mr. Ring in Pearl st.

Wm. Honeyman paid me for it; I have a girl named Sarah, who lived with Mr. Senia in Brooklyn; I knew her about a month; she was in my service about a month; she went to live with Honeyman; she was too gay for me; I don't know where she is now; I have no recollection of writing this letter; (letter produced,) it is not my writing; if it came from my family it must have come from Mrs. Foster; it looks like her hand writing; I don't know anything about the note at all; my family came to this county four months after I came; I have seen Parkinson at John st.; he has given me money for Honeyman, and Honeyman has given me money for him; never saw them in prison; have not seen them since; might have seen them several times between March and June; Honeyman came to buy the horse, and Parkinson was with him; they might have come on foot for all I know; no one was present when I sold the horse; Honeyman bought him and paid the money; it was about 1.30 past 1 o'clock; I had just finished my dinner; they staid till about 5 o'clock; I took them over to the distillery and showed them the process of distilling; I sell wine, not liquor; they drank 3 bottles of wine; he was talking about the 'arness for the 'orse; he said he wanted a 'arness to fit the 'orse; they paid me \$25 on account of the 'orse; I was to keep the 'orse a week; I am sure the price was \$45; I am sure they paid me \$25; I gave a receipt for all the money they paid me; if the price of the horse is on the receipt it is put down correct; I can't say it was dark when they left my house; they paid me in city money; can't tell what bank; none on the Farmer's Bank of Poughkeepsie; I paid it at the Merchant's Exchange Bank in this city, to take up a note, 3 or 4 days after; the bank is in Wall street; I recollect now that the note was paid in the Mechanic's Bank for Mr. Bee, a merchant in Front street. It was for \$51. Don't know Jack Wright nor Jack Gibson. It was nine or ten days after I sold the 'orse that I saw them again. He came about the 'orse. I sent the 'orse to Parkinson's shop in William street. Never was in 51st street, or in Woodbridge, at Parkinson's. I got the balance due. If I gave a receipt it was for \$27. The 'arness was made by Mr. Baxter, High street, Brooklyn. I got the 'arness and whip, which was \$27. I can't tell if I gave them a receipt for that. The purchase of the 'orse was on Monday; weather much like this. I'm not quite sure there was not some rain that day. I can't say if it was a clear day or not; can't tell if it was as warm as it is now; can't say if it snowed or not. It was not dark when they left; did not see them to the door; they appeared to have plenty of money at the time. Honeyman had it; he paid me all the money.—I have purchased a good deal of liquor since the 7th of April of Mr. Bates. I have an agreement for some real estate with Alderman Crist. I have loaned out no money on bond and mortgage since 7th of April. I recollect it was the 7th of April, because my birthday was the 14th of April. This is the receipt I signed. I may have received some of the money without giving a receipt.

Witness—William Parkinson.

On the back of this receipt is written, "Received ten dollars in full discharge as per receipt."

Resumed.—I know the man there (Cupid.) Have seen him about town. I have spoken to him. He has never been to my house. Can't tell where I saw him. In some place where I sell liquors, I suppose. The second payment was made at Parkinson's office in William street.

John Hoyle, Sworn.

Resided in Brooklyn 14 years; I knew Foster's residence in April last, I was there almost every day; seen the prisoner there; saw him on the 7th of April last; Honeyman was with him; they were there at half past 1 or 2 o'clock, and at 5. Foster lived a mile from the Fulton Ferry. They had some transaction about buying a poney. I am a horse doctor. It was not perfect at the time, and Foster came and told me not to say anything about the poney as two gentlemen were inside that wanted to buy him.

Examined by Whiting.—I keep my Medicines at Foster's; I did not say anything about the poney; Foster occupies the distillery used by me as a shop; I had been attending the poney; he had some difficulty in his wind; Foster introduced me; he did not say they were old friends; we shook hands and then took a drink; I took down my mortar and pestle, and went outside compounding the medicine I thought proper; went away and came back about 4 o'clock; I went to Mr. Dougherty's; he owns a large number of horses; I attended them. This was on the 7th of April; Mrs. Foster had just come down stairs from her confinement; Mr. Honeyman said to her, "I wish you joy; will you take a glass of wine?" She said, "No." I remember why it was the 7th of April by this; I have not conversed with her much about it since. I keep a book in which I enter when I attend horses, and I know it was the 7th of April, because I attended Dougherty's horses that day. (Reads from book.) "Left 3 doses, 6 operating balls, and gave one." It has been written a long time. I might not tell, but it

might have been the 14th when I saw Mrs. Foster, but it was not so, because I recollect of the poney and the 3 doses and 6 operating balls. I recollect it was the 8th of April. This was a corner house; it was a tavern. Foster waited upon the customers that day. Have seen cards played there, but they play mostly dominoes. Been a horse doctor 10 years. Nobody has written in this book but me. No person has had it that I know of. I was first spoken to be a witness about 5 weeks ago. Can't tell who spoke to me. There is no date in my book to the first attendance. I put the dates there the day as they are dated.

The defence were here anxious to close the testimony if the prosecution would agree to close also. But the prosecution objected, and the Court adjourned until Friday morning.

FRIDAY, NOV. 21st.—FIFTH DAY.

At the opening of the Court, the defence presented a warranty deed of property, held in Grove street by Parkinson, consideration money being \$5,600, mortgaged for \$3,000; also one for his farm in Middlesex county.

The defence here rested further proof of alibi, merely stating that they had but one witness to call, a Mr. Pratt.

The prosecution then introduced the following rebutting testimony:

Richard Seignor, called and sworn.—I saw Robert D. Foster once and spoke to him. He called at my house once. A letter was brought to my house. This is the letter—[The one that was handed to Foster on Thursday evening, which he denied writing.] I received it from my wife. I then went to see Parkinson, and presented the letter to him. He took it and appeared a little confused. He did not seem to know what to say. He said he knew where the girl was. Her name was Sarah Allen. He said that Foster knew where she was, and he wondered why he did not tell.

The defence objected to the reading of the letter.

Court decide the letter admissible.

Letter read by Whiting.

Mr. EDWARDS.

Dear Sir,—Mrs. Senious, the bearer of this note, is a friend and the late employer of Sarah. Mr. and Mrs. S. wish to ascertain that she is comfortably situated, &c. &c., and you can easily satisfy them.

Yours Respectfully,

ROBT. B. FOSTER.

Mr. Parkinson.

Directed to Mr. Parkinson, between Fulton and John, in William street, New-York.

Witness—Parkinson refused to say where the girl was; that he did not wish to be brought into a scrape. We were anxious to know where she was. I was informed that she lived about ten days with Foster, and afterwards had been taken away. Parkinson refused to tell where she was, but said she could be sent to my place. Parkinson had the letter loosely in his hands; I saw the name of Edwards on it, and I said to him this is not directed to you; he said no it is the person with whom the girl is—he said the people were quite respectable. I told him if he did not tell me where she was I would make a complaint against him for abducting the girl. I thought that Parkinson and Foster knew where the girl was. I went to the chief of Police. In consequence of information received from Justice Taylor, I went to 51st street and found the girl, I saw also a young woman and two officers. Sarah Allen is now in England, or near it.

Richard Ackley sworn.—I know Robert B. Foster rather too long, three or four years. I have seen him write frequently. This is his hand-writing. (Letter shown.) I resided with him two years in Water street, in this city, and in Fulton street and Willoughby st., in Brooklyn. I left him about a year ago. Don't know all the defendants. I am acquainted with the general character of Foster; it is very bad.

John Donling, commission merchant, 111 Front street, knows Robert B. Foster. I have heard people talk of him; from what I have heard, his character is BAD.

S. C. Felt sworn.—Police officer in Brooklyn. I know his general character from what I've heard. He has been spotted to me as being connected with a gang of robbers. Every person I hear speak of him gives him a bad character. I heard from a person that he was of the same gang as Bob Sutton and Cock-eyed Bill. I have seen him with them at a house in this city.

Henry Wilson sworn.—I reside in Brooklyn. From what I have heard say of Mr. Foster, his character is BAD.

John Bird sworn.—Constable at Brooklyn. Heard persons speak of Foster. He is counted a suspicious man, i.e. a man of suspicious character.

John Van Dyne sworn.—Formerly sheriff of Kings county. Know Foster by sight. Heard people speak of his character as very bad.

John McCormick sworn.—Police officer in Brooklyn. Know Foster. I have heard people say that he was a suspicious character.

Wm. Bennett sworn.—I am the Wallabout stage-owner. I have heard Foster's character spoken of frequently; it is bad, decidedly bad.

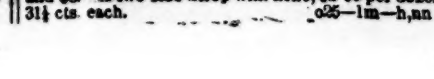
The testimony here closed on both sides, and the summing up for the defence commenced at 1 o'clock, at the time of our going to press.

The verdict in the above case will be given in an extra slip from this Office.

LIST OF NEW BOOKS

Being the first of the series Ingraham's "Nouvelles"
Library. Price, 12½ cents.

WEIGHT'S PRINTING OFFICE,
74 Fulton, cor. Gold street,



all kinds of Watches and Jewelry, and
rate. — — — — — **GEORGE W. PRATT,**
nl — — — — — 76 Chatham street

ENOCH B. CAMP,
ATTORNEY AND COUNSELLOR AT LAW,
No. 27 Centre street, near Duane,
Respectfully informs his numerous friends in this city and elsewhere, that the increase of his professional business has compelled him to engage the assistance of one of the most accurate attorneys of the New York Bar, who will always be found at his office, in his absence. He therefore solicits a continuance of the favors conferred upon him in all cases where legal services are requisite, as his fees will be found to be reasonable, and all business entrusted to his charge will be conducted with promptness.

NATIONAL HOTEL, WASHINGTON CITY, D. C.

The proprietor of this fine Hotel, formerly known as Gadsby's, but now generally called Coleman's Hotel, desires to return his thanks to his friends and the travelling portion of the community generally, for the favors which they have bestowed upon him since he opened his establishment, and to assure them that he will spare no exertions to render his house worthy of the patronage of which he has already received so liberal a share.

The house having been, during the summer, thoroughly renovated and refitted, is now in first rate order for the reception of travellers or residents; and the proprietor respectfully solicits a continuance of past favors on the part of visitors to Washington, or residents during the session of Congress, being confident that they will always find comfortable lodgings, the best on the table that the market affords, and attentive and polite waiters.

Washington City, September, 1845. o11-1f

ANALYTICAL MEDICAL INSTITUTE, 426 Broadway.

FOUNDED BY
DR. J. CLAWSON KELLEY,
For Gratuitous Advice on all Diseases.
The success which has attended this practice in the treatment of Diseases of the Lungs, Liver, Kidneys, Spleen, &c., &c., for years past, needs no further comment. o11-1m

SANDS' SARSAPARILLA, For the Removal and permanent Cure of all Diseases arising from an impure state of the Blood, or habit of the System.

The operation of this preparation is three-fold. It acts as a tonic, strengthening the digestive power and restoring the appetite, as an aperient, peculiarly suited and gentle in its laxative effect, and an antiseptic, purifying the fluids of the body, and neutralizing the active principle of disease. The many well authenticated cases of Scrofula of the most malignant character, wrought by Sands' SARSAPARILLA, have given it a wide and deserved celebrity. But it is not alone in Scrofula nor in the class of diseases to which it belongs, that this preparation has been found beneficial. It is a specific in many diseases of the skin, and may be administered with favorable results in all; it also exercises a controlling influence in bilious complaints; and when the system has been debilitated either by the use of powerful mineral medicines, or other causes, it will be found an excellent restorative.

"Truth is stranger than Fiction."—Let the Facts speak for themselves.—The following certificate is only another link in the great chain of testimony to its merits. Let the afflicted read and be convinced; what it has done once it will do again.

Charlestown, Mass., Sept. 23d, 1845.
This may certify that my son, now aged seventeen, has been for ten years afflicted with the Scrofulous Humor. At the age of seven years he had the measles, which probably caused this humor to make its appearance in a most singular way, covering his body from his head to his feet with small tumors. I consulted a Doctor of Medicine, and he examined him three days in succession, and not understanding his case, advised me to consult Dr. Rogers, of New York, I then being a resident of that city. After a long and critical examination, having more than thirty other medical gentlemen with him at the time, he pronounced Scrofula, or King's Evil. The child was then prescribed bar, and commenced taking medical drugs from that time. He grew worse until June, 1837, and then his bones became affected, in consequence of the mercury that had been given him. A piece of bone came away from his under jaw, in the first place, as large as an English walnut, a piece from his forehead as large as a sixpence, and a piece from near the crown of his head. It then went to the back and side, and discharged in three places. From thence to one of his limbs, separating, in consequence of the ulceration, the muscles and cori from the bones of the ankle and joint on the back part. He had at one time fifteen running sores or issues from the glands of the throat and those places I have mentioned. In 1840 I lived in Portsmouth, N. H., and he was attacked with a Rheumatic Fever, which settled in one of his hips, which swelled as large as three of the other. Being under medical treatment, they gave him laudanum until he lost his reason—then I became alarmed, and sent for a Thomsonian. His medicine helped his hip and restored his mind and reason. The third time he was attacked with this fever in 1842, when hearing of Dr. Sands' SARSAPARILLA, and being perfectly satisfied that all other medicines had failed of effecting a cure, I sent and procured six bottles, and by the time he had taken it all, I considered him well. Those places healed—he became bright and lively—color came to his face and lips—from that time till the fall of 1844, and his complaints never troubled him. At that time he became deaf and which continued until last March, when his right eye became affected; from that to the left eye, covering the sight of the eye so that he was in a great measure deprived of sight.

Knowing that Dr. Sands' SARSAPARILLA was the only medicine that had ever done him any good, I applied to Mr. Fowler, Apothecary at Boston, for more. He has taken fifteen dollars' worth, which has removed the humor from his eyes and hearing, and he now appears to be cured, and radically so. I verily believe all this latter trouble might have been avoided if I had continued thoroughly the use of Dr. Sands' SARSAPARILLA when he was under the influence of the medicine the first time.

These are the simple statements of the facts of the case, and I feel it my duty to make those facts known to the public, for the benefit of those who may be afflicted in like manner; feeling a full conviction the cure has been effected solely from the effect of this invaluable medicine.

HANNAH W. BECK, 228 Main st.
Suffolk, ss. Boston, October 13, 1845.—Then personally appeared the above-named Hannah W. Beck, and made solemn oath that the above certificate, by her subscribed, and statements therein contained, are true. Before me,

JAMES RICE, Justice of the Peace.
For further particulars, and conclusive evidence of its superior value and efficacy, see pamphlets, which may be obtained of agents gratis.
Prepared and sold, wholesale and retail, by A. B. & S. SANDS, Wholesale Druggists, 79 Fulton street, 273 Broadway, and 77 East Broadway, New York. Sold also by Druggists generally throughout the U. States. Price \$1.00 per bottle, or six bottles for \$5.00.

123—The public are respectfully requested to remember that it is Sands' SARSAPARILLA that has been and is constantly achieving such remarkable cures of the most difficult class of diseases to which the human frame is subject; therefore ask for Sands' SARSAPARILLA, and take no other. nov 1-1m

\$20 REWARD.—Lost on the 18th March last, a Gold Lever Watch with gold dial, No. 20071, Samuels & Co. makers. The above reward will be paid for the recovery of the said Watch, upon application to
P. HEGONE,
158 Greenwich st.

\$20 REWARD.—Lost on Monday evening, 10th inst., a white Pointer Dog, liver colored ears, a little mottled on the back and short tail. Whoever will return said Dog to 178 East street, or at this office, will receive the above reward.
O. N. CUNNINGHAM.

CHEVALIER'S CUTLERY DEPOT,
184 BROADWAY, NEW YORK.
Where can be found a large assortment of his celebrated Dental Instruments, files, teeth, pen, pocket, hunting and bowie knives; scissors and razors, of the best manufacturers, 181 BROADWAY, between John street and Maiden Lane. o11-1f

THOMAS W. STRONG,
PUBLISHER, BOOK-SELLER AND STATIONER,
38 Nassau street, New York.
Has now on hand, and is constantly publishing, the largest assortment of Children's Toy Books, Primers, and Nursery Tales, at all prices and quantities, Pictorial Alphabets, Engravings, Paint-boxes, and Drawing materials, Quills, Pens, Ink, and Paper, Note Paper, Ball Circulars, and English, French and American Envelopes, Standard Works and Books for the Holidays, Almanacs, Valentines, Playing Cards, Fancy Articles, Wafers, Sealing Wax, &c., &c., at the lowest prices, wholesale and retail. Give a call.
N. B. A large assortment of second hand wood cuts for sale. n15-1f

NEW LAW BOOKS.
Hill's Reports, vol. 6, New York.
Palge's Chancery Reports, vol. 10, New York.
English Ecclesiastical Reports, vol. 7.
Metcalfe's Reports, Massachusetts, vol. 7.
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Walker's Chancery Reports, Michigan.
Harrington's do.
Meeson & Willby's Exchequer Reports, vol. 11.
Story's Promissory Notes.
Blanchard's Reports, vol. 5, Indiana.
New York Digest, 3 or 4 vols., being a digest of all the New York Law Reports from the earliest period to the present time, 1845.
English Chancery Reports, vol. 17, now published verbatim, with Notes and References to English and American Reports, by John A. Dunlap, Counsellor at Law; two English volumes in one American.
Vesey Jones' Chancery Reports, 20 vols. complete. A new American edition, much improved, with Notes and References to American Law; by Messrs. Sumner & Perkins. Price, \$60.
Wheaton's Law of Nations.
The above, with a general assortment of Law Books, just published and for sale by
GOULD, BANKS, & Co.,
144 Nassau street. n8

VENETIAN LINIMENT,
Prepared from the receipt of the late Dr. Solomon, of Gilead House, Liverpool, by S. J. Tobias, 41 Mercer street, New York.
This Liniment is so confidently recommended to those suffering with Rheumatism, Lumbago, Cramp, Sprains, Sore-throats, Piles, Spasms, Toothache, Burns, Scalds, Bites, Headaches, Chapped Hands, Stings, Bruises, Stiff-neck, Pains in the Limbs, Back, and Chest, Swelling of the Joints, Chilblains, Cuts, &c., that the money will be refunded in all cases where persons are dissatisfied with it, on a fair trial.
Numerous certificates and references can be seen at 75 West Broadway.
No family having once tried it, will be without it. For sale at 41 Mercer street and 75 West Broadway.—Price, 25 cents per bottle. n15

DR. WOOD'S SARSAPARILLA
and Wild Cherry Bitters, are the only pure remedy for Dyspepsia and Impurity of the Blood, that has ever been discovered; and their extensive use, with recommendations from the most eminent of the medical fraternity, must assure the afflicted that they possess wonderful merit. They give
LIFE, ELASTICITY, AND VIGOR
to the system, promote a healthy action, clean the stomach and bowels from unhealthy accumulations, and purify and enliven the blood in the most thorough and effectual manner.
They are the unrivalled and efficacious compound of a
REGULAR PHYSICIAN.
Sold wholesale and retail, by WYATT & KETCHAM, 121 Fulton street, N. Y. only by J. W. Smith, corner Fulton and Cranberry sts. Brooklyn. o11-1m

HUNTERIAN DISPENSARY,
No 3 DIVISION STREET;
Established, A. D., 1835.
By the present Proprietor, for the successful treatment of Scrofula, Strictures, Diseases of the Urethra, Nervous Debility, Mercurial Diseases, Femoral Weakness, Gravel, Nodes, Caries, Rheumatism, and all secret Diseases, whether mild or virulent. And from an experience that very seldom fails to the lot of any one physician, he is enabled to warrant a perfect and lasting cure in any and all cases of the above mentioned diseases. The afflicted should remember that this is the only place in this city where the celebrated Dr. Hunter's Red Drop can be obtained; a medicine never known to fail in curing the very worst forms of that dreadful and alarming disease for which it is adapted. The Dispensary is so arranged, that the person calling will see no one but the doctor himself, who is in attendance until half past 10, in his private parlors, ready and willing to render relief to all who may give him a call. Hundreds of certificates voluntarily given of cures, some of which are the most astounding cases on record, are open for inspection at the Dispensary, all of which were cured by this medicine.—Price, \$1 per vial, which is warranted in all cases, or no charge. o11-6m

TARRANT'S COMPOUND EXTRACT OF CUBEBS AND COPAIBA.
This preparation will be found the greatest and most valuable discovery in the annals of medicine, frequently effecting a cure in the short space of three or four days.
The following flattering testimonials from an eminent medical practitioner, fully sustains the high character of this inestimable medicine:
"The general use which your medicine has acquired in the several hospitals which has come under my care, and the speedy cures effected by it, guarantee me in my perseverance in it as a remedy in cases of Gonorrhoea and Gleet, several of which, although very severe, yet were fully subdued in a shorter period than was ever accomplished by the former ordinary modes in practice."
Prepared and sold, wholesale and retail, by
JAMES TARRANT, Druggist, &c.
o4 1f No. 228 Greenwich st. cor. of Warren st.

WILDER'S PATENT SALAMANDER SAFE.—The high reputation that these non-pareil Safes had acquired at the burning of the Tribune Buildings in February last, and other previous trials, has been fully sustained in the late great conflagration in New York, on the 18th July, 1845. And the perfect security afforded by Wilder's Salamander in this unlooked for event, has been realized and acknowledged. To copy all the certificates had on this occasion, would make this advertisement too lengthy, but they can be seen at my store, together with some of the safes, which preserved the books and papers in the great fire, as also the Tribune Safe. The genuine Wilder's Salamander Safe can only be had of the subscriber, warranted free from mould, (an objection to the first made by Wilder.) All secured by good thief-detecting locks. Persons ordering safes can have their interior arranged suitable to their books and papers, by applying or addressing the subscriber at his Iron Safe Warehouse, 139 WATER street, corner of Depeyster, New York.
SILAS C. HERRING.
N. B.—Second hand Safes for sale, very low. sept20-6m

CHEAP CASH TAILORING ESTABLISHMENT.
PHILIP GARHARDT,
Fashionable Taylor, 74 West Broadway,
begs to inform his customers and the public, that he has now on hand an extensive and elegant assortment of Fall and Winter Goods, and is prepared to execute all orders in a superior manner and with his usual despatch, at the most moderate prices. He is prepared to furnish
Dresses and Frock Coats, in the first style, \$12 to \$20.
Overcoats, elegantly finished, twilled lin'g, 14 to 20.
Pantaloons, 4 50 to 8.
Vests, of all patterns, 2 to 4.
N. B. In making the above articles, the latest style is always consulted, and the above scale of prices will be maintained through all the variations of the market. n15-1m-cln

FIRST PREMIUM SUSPENDERS.
Silver Medal Awarded!
3000 dozen Corrugated Suspenders.
15,000 pairs Imported Rubbers, (men's, women's and children's).
5000 pairs Men's Strapped Overhoes.
1000 pairs Ladies' Metallic Buskins.
6000 Bands and Garters, not affected by heat or cold, together with a general assortment of India Rubber goods, of every description in use, for sale cheap, wholesale, and retail, at the warehouse of the Newark, N. J., India Rubber Factory, 53 Maiden Lane. n15-3t
HUTCHINSON & RUNYON.

LINDLEY'S IMPROVED PATENT PREMIUM BEDSTEADS,
PROOF AGAINST BED BUGS!
At Gardiner's Cabinet and Upholstery Warehouse,
No 69 GOLD STREET, one door from Beekman st. N. Y.
The undersigned would respectfully call the attention of the public to the above invaluable article of Furniture;—the great improvement in the Strength and Durability of the Bedstead is such as to place them far in advance of everything of the kind now in use. This improvement has received the highest premiums awarded at the late Fairs of the American Institute in October, 1843 and 44;
They combine great strength and durability, stand firm, are put up and taken down in one minute, and the joints, being so perfectly tight and secure, afford no resting place for any of the nocturnal family.
The undersigned will also keep on hand other Bedsteads,—Brass or Patent Iron Dovetail he would recommend as a good article; also the well known Windsor bedstead with sackings bottom.
Also, Moady & Eastman's Elevating SPRING Bed, a most delightful article for the comfort and repose of any, either in Sickness or Health.
The Bedsteads of the undersigned are manufactured of the best materials, of Black Walnut, Mahogany, Maple, &c. and of every variety of pattern, which cannot fail to please the most fastidious.
Mattresses, Pillasters, Feather Beds, Bolsters and Pillows, made to order, and warranted to be filled with such Hair, Feathers, &c. as represented.
Orders from the South, Hotel keepers and families, respectfully solicited. Having a large manufactory, orders for any number can be filled at the shortest notice. o11-6m
WM. C. GARDINER, Agent.

PEASE'S HOREHOUND CANDY.
Those, if any such there be, who think the manufacture of this candy a simple affair, are egregiously mistaken. No less than twenty-five ingredients, each prepared with infinite care, are amalgamated by a peculiar process in this extraordinary compound. Each of these ingredients is in itself valuable, as a remedy for pulmonary complaints, and their curative properties receive the most concentrated form possible before they are combined. In the compound mass these individualities cannot be detected; in other words, the preparation cannot be analyzed, and therefore the imitations which have from time to time been paraded before the world have borne no resemblance in their composition to the original article. For Coughs, Colds, and all affections of the respiratory organs, it is believed that this preparation has no rival in the whole range of Pharmacy.
CERTIFICATES.
New York, June 23, 1843.
Messrs. J. Pease & Sons:—
Gentlemen,—I have used your Horehound Candy for myself and family for the epidemic or influenza, and find it gives great relief both to the distress on the chest or lungs, and to the cough which so universally follows.
THOMAS BEILBY,
cor. of Jefferson and South sts.
New-York, 3d month, 30th, 1843.
Esteemed Friends,—I am no friend to puffing or quackery, but having been cured of a very bad cough and cold by the use of your Compound Horehound Candy, I feel desirous to recommend it to others, that each may give it a fair trial and then judge for himself.
SOLOMON JENNER, Teacher, 75 Henry st.
To John Pease & Son, No. 45 Division st.
New-York, Oct. 25th, 1843.
Gentlemen,—The Horehound Candy you had the kindness to send me, I have used pretty freely; and it is with pleasure I take this occasion to acknowledge its good effects upon my voice and general health. I would most cordially recommend its use to all public speakers. It clears the voice, and is the best article of the kind I have ever used to cure those diseases of the throat with which speakers are most liable to be affected. Respectfully yours,
JOHN NEWLAND MAFFITT.
To Messrs. J. Pease & Sons, 45 Division st.
Sold wholesale and retail at 45 Division st., 10 Astor House, N. Y.; 254 Broad st., Newark, N. J.; 3 Ledger Buildings, Philadelphia; 5 State st., Boston, Mass.; 57 State st., Albany, (110); 142 Baltimore st., Baltimore; Weed & Waters, Troy, N. Y. o18



The public are respectfully informed that at the above establishment may be found MECHANICS' and ARTIZANS' TOOLS, in almost endless variety. The subscriber having made it his study to ascertain where the best and cheapest implements used by mechanics are produced, and having thus far given great satisfaction to those who have selected from the stock he has collected together, he is induced thus publicly to inform all seeking such an establishment, that they can now find at one place nearly every tool and implement used by mechanics in almost every branch of business, and having adopted the ONE PRICE SYSTEM, (the only honest system,) as the rule of guidance in his business, purchasers may rely upon the lowest price which will afford a remuneration profit being fixed upon each article, and that whether they send an inexperienced person, or come themselves, they will be charged the same price for the same article. Having made the above remarks, it is needless to add, that the custom of such as beat down prices is not solicited; nevertheless, the subscriber does not expect all visitors to purchase his articles, but will at all times be ready to show them to all, whether they purchase or not. Cooper will find a large assortment of tools, all of which are warranted to give satisfaction, or the money will be returned. Planes, Saws, Plane Irons, Chisels, and many other articles, are warranted in the same way. Warranted English cast steel Engraver's Tools, Burnishers, Scrapers, &c. A large assortment of the celebrated Tallyho Razors on hand, all warranted,—a printed warranty accompanying each. Small and large Tool Chests furnished complete with tools, varying in price from 6 to 100 dollars, always ready. Strangers seeking this establishment, are informed that a painted flag, a fac simile of the above cut, hangs over the curb stone in front of the store; and they are particularly requested to notice this, as there are several wholesale hardware stores in the neighborhood, which might be mistaken for this establishment.
HENRY F. FAIRBANK, 44 Fulton street, between Pearl and Cliff sts. se27-3m.

P. HEGONE,
dealer in
PICKLED OYSTERS, CLAMS, LOBSTERS,
MUSCLES, MIXED AND FLAIN
PICKLES AND CATSUPS, OF
ALL KINDS; ALSO PRE-
SERVED FRUIT OF
ALL KINDS,
158 Greenwich st. cor. Courtland, N. Y.
Families and Ships supplied at the shortest notice. n1-3m-ann

AT 132 NASSAU STREET,
THE PATENTED
Trusses, Abdominal Supporters, Suspensory Bandages, &c. &c.
All of which articles are approved of by the Faculty, and sold on the most reasonable terms. o11-1y

SHERMAN'S IMPROVED PATENT PREMIUM TRUSSES.
Physicians and those afflicted, will bear in mind that Mr. Sherman has had fifteen years practical experience in the making, fitting, and adapting of Trusses to every form of Hernia. He is permitted to refer to the first Surgeons in the city, and also to Ruptured persons whose cases have defied the skill of every other Truss-maker in the city.

SIX WEEKS TRIAL GIVEN—
Satisfaction guaranteed, or the Money returned.



IMPROVED SUSPENSORY BANDAGES,
70 NASSAU STREET, N. Y.
Addamson & Oliff, Agents, 6 Bowery
N. B.—Unprincipled persons have undertaken to vend spurious imitations of Sherman's celebrated Trusses, which can only be had genuine at his office as above, or Addamson & Oliff, 6 Bowery. o18 1f